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Comprehensive review of the whole question of peacekeeping operations in all their aspects

The rule of law at the national and international levels

Letter dated 3 December 2007 from the Permanent Representatives of Finland, Germany and Jordan to the United Nations addressed to the Secretary-General

We have the honour to inform you of the outcome of a conference entitled "Building a Future on Peace and Justice" organized by the Hashemite Kingdom of Jordan, Finland and the Federal Republic of Germany, in Nuremberg, Germany, from 25 to 27 June 2007.

Peace and justice are key goals of the work of the United Nations and a number of regional organizations. Institutions and mechanisms designed to achieve justice are acquiring increasing importance worldwide, as the example of the International Criminal Court shows. At the same time, situations in which peace and justice appear to compete with one another are also on the rise. Conflict leaders may accept peace agreements only in return for amnesty. Fragile security, precarious post-conflict power-sharing arrangements and weak institutions may limit the scope for achieving justice. Conflict victims may feel resentful if no one is called to account for their suffering. Peacebuilding may be further complicated if peace/security, justice/rule-of-law and other development priorities have to compete for scarce resources.

From 25 to 27 June 2007, Finland, Germany and Jordan, together with the International Center for Transitional Justice, New York, and the Crisis Management Initiative, Helsinki, in cooperation with the Centre for the Study of Violence and Reconciliation, Johannesburg, the Centre for Peacebuilding — Swisspeace, Berne, the Friedrich Ebert Foundation, Berlin, the Georg August University, Göttingen, and the Working Group on Development and Peace, Bonn, organized an international conference in Nuremberg, Germany, entitled "Building a Future on Peace and Justice", which aimed to contribute to a better understanding of the tensions that may arise in peace negotiations and post-conflict peacebuilding between peace and justice. Starting from a holistic understanding of peace, i.e. including peace, justice, development and institutional reforms, the conference aimed to produce concrete

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recommendations on how to deal with possible tensions between peace and justice. The conference was attended by some 400 participants, including representatives of States and international organizations, practitioners, academics and members of civil society from all over the world. The participation of more than 80 practitioners from developing countries was facilitated through scholarships. The conference was generously supported by the Robert Bosch Foundation, Stuttgart, and the Dräger Foundation, Lübeck.

The conference unfolded in three parts: on the first day, after having listened to a message from the Secretary-General of the United Nations, high-level speakers (Mr. Frank Walter Steinmeier, Foreign Minister of Germany; Mr. Sharif Al-Zu'bi, Minister of Justice of Jordan; Ms. Sonia Picado, Personal Representative of Mr. Oscar Arias, President of Costa Rica, and Mr. Luis Moreno Ocampo, Prosecutor of the International Criminal Court) opened the conference in the historical setting of the Nuremberg Military Tribunal, followed by four panel discussions between eminent personalities in the fields of justice, human rights, conflict resolution, development and gender justice. On the second day of the conference participants engaged in lively discussions in thematically and regionally oriented workshops, for which some 30 studies had been conducted. On its third day, the conference heard a report from the workshops and concluding remarks by the President of the conference, Prince Zeid Al-Hussein, as well as statements by former Finnish Foreign Minister Erkki Tuomioja and German Minister of State Günter Gloser. The conference agreed that the conference organizers should begin to draft a Nuremberg Declaration on Peace and Justice that will translate the conference results into a political document. Further information on the conference and its documentation can be accessed at www.peace-justice-conference.info.

Taking into account the close links between the purposes of the conference and the work of the United Nations, we would be grateful if you would circulate the present letter, together with the conference documents annexed to it, namely (a) an abridged version of the concluding remarks made by Prince Zeid Al-Hussein (the full version can be found on the above-mentioned website) (see annex I) and (b) a joint statement by the organizers of the conference (see annex II), as a document of the General Assembly, under agenda items 34 and 86. We trust that it will be useful in the discussions on these agenda items.

(*Signed*) Kirsti **Lintonen**
Permanent Representative of Finland

(*Signed*) Thomas **Matussek**
Permanent Representative of the Federal Republic of Germany

(*Signed*) Mohammed F. **Al-Allaf**
Permanent Representative of the Hashemite Kingdom of Jordan

Annex I to the letter dated 3 December 2007 from the Permanent Representatives of Finland, Germany and Jordan to the United Nations addressed to the Secretary-General

International conference: "Building a Future on Peace and Justice"
Nuremberg, 25-27 June 2007

Report on the major findings of the conference

Statement by HRH Prince Zeid Ra'ad Zeid Al-Hussein
Ambassador of the Hashemite Kingdom of Jordan to the United States of America
Chairman of the concluding plenary session

Conclusion

(...) Two days ago, during the opening ceremony in the Nuremberg Tribunal, Ms. Sonia Picado, the Personal Envoy of Costa Rican President Oscar Arias, and Mr. Frank Walter Steinmeier, the German Foreign Minister, both mentioned that this conference was likely to accumulate an unprecedented wealth of information on the peace-and-justice dilemma. Their expectation was correct. We are indeed blessed, even overwhelmed, with an incredible amount of information, opinions and advice. It is sometimes a challenge to separate the wood from the trees. So let me try to attempt a brief and certainly incomplete look at the wood.

1. The first point is the most obvious one — sort of the leitmotiv of the conference: justice and peace need not be contradictory forces. While we must acknowledge that the dilemmas are real, a negotiated agreement must build the foundation for both peace and justice. This point was underpinned by generally accepted references to the concepts of sustainable peace, sustainable development and human security. The logical consequence of the complementarity of peace and justice is that the choice is not between some accountability and none, but rather how to build sustainable solutions.

2. The second point is a very basic and commonly accepted one: peace must be understood as "sustainable peace". The silence of the arms, the end of violence and terror, the ability to meet basic needs, public security — these are the expectations of people who have been traumatized by armed conflict and all sorts of brutalities, and therefore these are immensely important categories. But we must not confuse a signature on an agreement, the end of violence and public security with the notion of "sustainable peace".

3. A third point concerns mediation processes. Here, it became clear that mediation happens at many different levels and involves many different actors. It is not just power bargaining between diplomats and the men with guns. At this top level, mediators indeed bear a responsibility to contribute creatively and flexibly to the immediate ending of violence and hostilities with the simultaneous expectation — which is usually part of their own "work ethic" — to promote sustainable solutions. This requires engagement with a broader constituency of civil society, in particular women and traditionally excluded groups, to keep the parties from entering agreements that are, in all likelihood, doomed to failure. The commitment of mediators to the core principles of the international legal order has to be beyond doubt — there is simply no room for blanket amnesties where the core crimes are concerned — and mediators should promote knowledge among the parties about the normative framework so that the parties can make informed choices. However, there should be a clear understanding of the division of labour where the mediator and the prosecutor have distinct roles to play. There was also broad

agreement that mediators needed flexibility and that a degree of ambiguity could provide the necessary scope to address the reality of conflict situations which invariably centre on competing visions of the past. It was also clear that mediation will continue at many points in society after a formal settlement, often going hand in hand with reconciliation.

4. The fourth point is about the notion of justice. As the development of the field of transitional justice has shown, "justice" needs to be — and in fact is — understood in a broad sense. Transitional justice may comprise criminal justice, truth-telling, reparations and institutional reform. The aims should include building trustworthy institutions and addressing marginalization, especially on grounds of gender. Legitimacy is a cornerstone of justice, and means and priorities must be locally defined. All these ideas are now generally accepted, but the challenge is in combining the ingredients of justice in ways that are sensitive to the context of a particular national or regional situation.

5. Here, as a fifth point, I wish to highlight the fight against impunity, culminating in the Rome Statute of the ICC, now ratified by 104 States. This worldwide movement has changed the parameters for the pursuit of peace. There is an emerging norm in international law that amnesties cannot be conceded for war crimes, crimes against humanity or genocide. In any case, the Court will not be bound by amnesties if it has jurisdiction. In addition, there is an emergence of practice at the international level of concentrating on those bearing the greatest responsibility for such crimes. A central feature of the Rome Statute is the principle of complementarity, whereby States have the primary duty to investigate or prosecute those responsible. The precise way in which States implement this duty may vary, but while incentives may be used within the context of criminal prosecutions, amnesty for such crimes is no longer available.

6. Sixthly, in this regard it has sometimes been noted that the pursuit of justice and reconciliation seem to be in tension. However, the workshops have been helpful in demonstrating that the desire for both accountability and reconciliation is common to all continents. Expectations may differ according to social, political and religious context, and views may not be uniform. The "hunger" for justice may vary over time and may grow once worries about survival diminish. But there is broad understanding that accountability and reconciliation can, and in fact do, co-exist.

7. A seventh point is about social, political and economic development. There was general agreement that to deliver on socio-economic justice, transitional justice mechanisms and development efforts should complement each other. In particular, security sector reforms, disarmament and demobilization and the restoration of a State sector that is able to uphold a public order based on human rights and the rule of law are all valid development goals which should not be pursued in isolation. Efforts at intelligent timing of the various steps, and at pacing and upholding international commitments, remain a big challenge.

8. An eighth, more specific point on development: several people argued convincingly that development aspects go beyond the resource and managerial dimension which I addressed in my previous point. Conflict is too often centred on issues of lack of equitable access to social goods. Therefore the mediator should be attentive to future developmental needs in order that the root causes of conflict are addressed from the outset. This is essential in generating a "peace dividend" (in other words: a sentiment of trust in the superiority of the post-conflict order), which is crucial to reconciliation. It is therefore necessary that the United Nations — notably the Secretariat, the Security Council and the Peacebuilding Commission — work on the integration of developmental and justice perspectives into their peace-building strategies.

9. Finally, in conclusion, please allow me a simple yet obvious point. The peace-and-justice dilemma is at its worst when people expect simple solutions to highly complex situations. This conference was not intended to produce blueprints for the resolution of all tensions between the pursuits of peace and justice. But the conference has reminded us that although the pursuit of peace and justice occasionally results in a moral dilemma, those deciding do not act in a moral or normative vacuum. There can be no doubt about the genuine difficulties involved, and the need for compromise within the parameters already described. But by comparing experiences from many places, and by listening to the varied expertise, the conference has demonstrated that while there is no *one* perfect solution, there is a spectrum of available options and creative approaches can be found.

You must have heard most of these points before, but maybe you have never heard them in conjunction, all in a single, multidisciplinary conference, and underpinned empirically on such a broad scale. I hope that this will be remembered as the legacy of this conference. I also hope that the legacy will not just be an oral one, but that it will be recorded in such a way as to have a more lasting impact — for the benefit of mediators, Governments, international and regional organizations.

Annex II to the letter dated 3 December 2007 from the Permanent Representatives of Finland, Germany and Jordan to the United Nations addressed to the Secretary-General

Joint statement by the organizers of the Conference

The topics of "peace" and "justice" were at the heart of discussions between high-level dignitaries and over 300 practitioners from over 80 countries, meeting in Nuremberg from 25-27 June 2007 at the conference "Building a Future on Peace and Justice". In peace negotiations and post-conflict reconstruction and reconciliation processes, the goals of "peace" and "justice" sometimes appear in conflict.

The conference concluded that peace and justice are not contradictory forces. Rather, if properly pursued, they promote and sustain one another. The question should never be whether to pursue justice and accountability, but rather when and how. German Foreign Minister Frank-Walter Steinmeier cautioned that there is no miracle solution for the management of tensions between peace and justice and for a society's recovery from violence and injustice. But he added: "By comparing experiences around the world, the conference will allow all stakeholders — mediators, national actors, international and regional organisations, and international justice mechanisms — to deal with the difficult decisions about peace and justice, of which there will be more in the future, in a more informed and creative manner."

The Jordanian Minister of Justice Sharif Al-Zu'bi said that the pursuit of peace and justice occasionally results in a moral dilemma, but does not occur in a moral or legal vacuum. "The fight against impunity, culminating in the Rome Statute of the International Criminal Court, has set a new framework for the pursuit of peace."

Former Finnish Foreign Minister Erkki Tuomioja said that the organizers were pleased that conference participants had backed a plan to summarize the conference results in a set of political recommendations ("Nuremberg Declaration on Peace and Justice"). This Declaration is meant to ensure that the conference will have a political impact beyond the day. Tuomioja said: "We thank the President of Costa Rica, Oscar Arias, for having accepted to supervise an international team of experts in producing a first draft. We hope to present the draft, after broad consultations, by the first half of 2008."

The conference organizers thanked their partner organizations: the Friedrich-Ebert-Stiftung, the Centre for the Study of Violence and Reconciliation (Johannesburg), swisspeace, the Working Group Peace and Development (Bonn) and the University of Göttingen. They also thanked the distinguished guests at the conference, including Martti Ahtisaari, Afghani Foreign Minister Spanta, Liberian Minister of Justice Johnson and ICC Prosecutor Moreno Ocampo, as well as the many grassroots participants from current or former conflict regions all around the world. All of them have greatly contributed to the high standards, the realism and the authenticity of the conference.

Nuremberg, 27 June 2007

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Organization of work, adoption of the agenda and allocation of items: reports of the General Committee

Comprehensive review of the whole question of peacekeeping operations in all their aspects

Letter dated 12 December 2007 from the Chairman of the Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse to the President of the General Assembly

I am writing to you in my capacity as Chair of the Ad Hoc Open-ended Working Group mandated with the task of considering the draft United Nations policy statement and draft United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel.

As you are aware, the Ad Hoc Open-ended Working Group approved, on 7 December 2007, its draft report containing the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel (A/AC.274/2007/L.4).

The Ad Hoc Open-ended Working Group also made a decision to recommend adoption of the draft strategy by the General Assembly directly under agenda item 116 during the main part of its current session (see paras. 13 and 14 of the draft report).

In view of the very tight scheduling that will be required to enable the adoption of the draft strategy by the General Assembly during the main part of this session, I have the honour to request that the report of the Ad Hoc Open-ended Working Group be moved for consideration under agenda item 116 of the sixty-second session of the Assembly, entitled "Follow-up to the outcome of the Millennium Summit", to ensure that the draft strategy is adopted in a timely manner.

(*Signed*) Jorge **Urbina Ortega**
Chairman, Ad Hoc Open-ended Working Group on Assistance
and Support to Victims of Sexual Exploitation and Abuse

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Review of the efficiency of the administrative and financial functioning of the United Nations

Proposed programme budget for the biennium 2008-2009

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Strengthening investigations

Report of the Secretary-General

1. In its resolutions 61/275 and 61/279 respectively, the General Assembly requested the Secretary-General to report to it in the context of the programme budget for the biennium 2008-2009 on the functions, structure and work processes of the Investigations Division with a view to strengthening the investigation function and to provide a comprehensive report to the Assembly at its sixty-second session on the results of the ongoing examination and rationalization of the investigation caseload and the overall review of the capacity of the Investigations Division of the Office of Internal Oversight Services (OIOS).

2. The results of the ongoing examination referred to in resolution 61/279 pertain to the review of the OIOS investigation function by an external expert commissioned for that purpose. At the 2005 World Summit, Member States decided that the expertise, capacity and resources of OIOS in respect of audit and investigations would be significantly strengthened as a matter of urgency (resolution 60/1). The Steering Committee on the Comprehensive Review of Governance and Oversight within the United Nations and Its Funds, Programmes and Specialized Agencies, established to prepare a report in response to that request, did not provide recommendations acceptable to the Assembly on the investigation function. The Under-Secretary-General for Internal Oversight Services therefore decided to commission a review that could be used as a guide for determining the actions required for strengthening the investigation function within OIOS.

3. In the annex to the present report, OIOS reports to the Secretary-General on strengthening its investigation function. The recommendations of the external expert are being used by OIOS as a basis for improving investigations in three areas: leadership and management; operating strategies and procedures; and optimal

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structure and location. The actions are practical in nature, and in several instances OIOS has already begun to implement them. With regard to leadership and management, OIOS indicates that the Deputy Director of the Investigations Division has been appointed and that the recruitment of a Director is in progress. Standard operating procedures for key activities in investigations are well on their way to being fully drafted and put into action. The updating of the Manual of Investigation Practices and Procedures, where relevant, will follow. The most significant operating change relates to the establishment of a Case Intake Committee and specific procedures for deciding which matters rise to a level warranting investigation by OIOS and for prioritizing the cases for investigation.

4. Structuring the Investigations Division optimally is a major challenge for OIOS. The driving factor in determining the structure of the Division is the distinction between the two main types of cases investigated by OIOS, namely sexual exploitation and abuse cases and financial, economic and administrative cases, and the need to create specialized teams to investigate the respective cases effectively. Optimization of the investigator's skills and expertise in these two distinct types of investigations has been a primary consideration in the structuring of the Division. OIOS will realize further economies of scale and efficiency by repositioning the resident investigators from the peacekeeping missions to one of three regional centres: New York, Vienna and Nairobi.

5. The Secretary-General takes note of the approach OIOS is taking to improve the functioning of the Investigations Division and of the actions that are within the authority of the Under-Secretary-General to implement and looks forward to seeing the results. The Secretary-General also recognizes that there are financial implications associated with these actions, particularly the restructuring, which will be submitted to the General Assembly for approval in the appropriate budget cycle.

6. The Secretary-General is concerned, however, that the capacity of other areas of the Organization that are mandated to carry out investigations is insufficient and needs to be looked at alongside the review carried out by OIOS. Programme managers, the Office of Human Resources Management, the Department of Safety and Security and others are all called upon to carry out investigations, yet in many cases they do not have a standing capacity to do so. Such capacity must be developed and adequately supported by training and governed by detailed sets of standards and guidelines that inform all concerned parties of their rights and obligations during investigations.

7. In addition, the panel appointed by the Secretary-General in 2006 to redesign the Organization's system of administration of justice touched on the fragmented nature of the existing investigation capacities in the United Nations. In paragraph 162 of its report (A/61/205), the Panel pointed out the need for a clear framework of cooperation and coordination between the existing internal justice system and OIOS.

8. Concerns have also been raised regarding due process rights. There is a lack of clearly defined due process rights in the various investigations, whether they are conducted by OIOS, programme managers or the Department of Safety and Security. While due process rights are defined in the OIOS investigations manual, it is essential that they withstand the review of the United Nations Administrative Tribunal and be applied uniformly in all investigations conducted in the Organization.

9. In view of the foregoing comments, the Secretary-General plans to report to the General Assembly after conducting a broader review, which will provide a comprehensive approach to investigations across the United Nations. The review will be guided by the recent experience of the Organization, including in the context of the investigations concerning the oil-for-food programme and the investigations carried out by the Procurement Task Force, as well as the practices of other international organizations that have taken steps to strengthen their internal investigative capacities. It will also take into account the accountability and independence of the Organization's investigative capacity. In this connection, it may be useful to study the examples of other international organizations, such as the World Bank and the European Union. Also to be taken into account will be the reform of the system of administration of justice, the report of OIOS below and the reports on the accountability framework, results-based management and the enterprise risk-management and internal control framework.

10. The Secretary-General recognizes that the Procurement Task Force investigations within OIOS need to continue without delay, as set out in the report of the Secretary-General on resource requirements for procurement investigations (A/62/520), and that the ongoing work of OIOS shall continue notwithstanding the comprehensive review. In this respect, the work of the Task Force should continue, pending approval of the resource requirements and the implementation of actions to strengthen the investigations function that are under the authority of the Under-Secretary-General for Internal Oversight Services.

11. **In this connection, the General Assembly may wish to take the following actions:**

(a) **Take note of the annex to the present report on strengthening the functioning of the Investigations Division of OIOS, and note that any changes that have financial implications are subject to the review and approval of the General Assembly in accordance with established procedures;**

(b) **Request the Secretary-General to submit at its sixty-third session a report on the outcome of the comprehensive review of investigations in the United Nations, taking into account the reform of the system of administration of justice, the report of OIOS on strengthening its investigation function (see annex), reports on the accountability framework, results-based management, the enterprise risk-management and internal control framework and any decisions taken by the General Assembly in this regard.**

Annex

Report of the Office of Internal Oversight Services on strengthening its investigation function

I. Introduction

1. The present report summarizes efforts to strengthen the investigation function of the Office of Internal Oversight Services (OIOS) and is submitted in response to requests by the General Assembly that the Secretary-General report to the Assembly in the context of the programme budget for the biennium 2008-2009 on the functions, structure and work processes of the Investigations Division with a view to strengthening the investigation function (resolution 61/275) and that he provide a comprehensive report to the Assembly at its sixty-second session on the results of the ongoing examination and rationalization of the investigation caseload and the overall review of the capacity of the Investigations Division (resolution 61/279).

2. Investigation is a function of OIOS mandated by the General Assembly along with internal audit, monitoring, inspection and evaluation. To carry out this function, OIOS has established the Investigations Division. At the 2005 World Summit, Member States decided that the expertise, capacity and resources of OIOS in respect of audit and investigations would be significantly strengthened as a matter of urgency (resolution 60/1). However, the report of the Steering Committee on the Comprehensive Review of Governance and Oversight within the United Nations and Its Funds, Programmes and Specialized Agencies (A/60/883/Add.2, vol. V), which was submitted in response to that resolution, was weak and lacked any compelling analysis with regard to the investigation function of OIOS, and recommended only that investigations be separated from the other functions of OIOS.

3. OIOS has put forward its proposals for strengthening the other mandated functions of the Office (A/60/901), including a proposal to conduct a further internal review that would be used as a basis for deciding on the strengthening of the Investigations Division.

4. The Under-Secretary-General for Internal Oversight Services subsequently commissioned a review of the Investigations Division, which was conducted by an external expert from 15 March to 15 June 2007. The expert's report was submitted to the Under-Secretary-General on 26 June 2007 and formed the basis for strengthening the OIOS investigation function.

5. With the necessary reviews now complete, OIOS has the benefit of thorough independent analysis to use as a basis for determining what actions to take to strengthen its investigation function. These actions are outlined below.

II. Summary of the expert review of the investigation function

6. The Advisory Committee on Administrative and Budgetary Questions recommended that the investigation function be maintained in the Office of Internal Oversight Services "with such refinement as may be possible after the completion of the special review" (A/61/605). That report responded to a proposal in the report of the Steering Committee mentioned in paragraph 2 above to create a separate

investigative function in the Office of Legal Affairs. The General Assembly did not support that proposal and endorsed the recommendations of the Advisory Committee.

7. With the question of separating the investigation function from OIOS having been dealt with by the General Assembly in its resolution 61/245, OIOS embarked on a process to undertake a review in order to ascertain the priorities for strengthening the function. The overall goal of the Under-Secretary-General for the review was to identify the actions required to make the Investigations Division the best among its international organization peers.

8. The terms of reference of the review were broad in scope and had the objective of analysing and evaluating the management, organizational structures, operational practices and effectiveness of the Investigations Division in discharging its mandate, as well as evaluating quality and efficiency with respect to its investigative activities and reports using relevant comparators (other international organizations) as benchmarks.

9. The review was undertaken by an expert who has extensive experience in international investigations and practices in the public sector. It included extensive document reviews and interviews with Investigations Division staff, senior managers in the United Nations and heads of investigation functions in comparable international organizations. In total, 89 in-depth interviews were conducted from mid-March to mid-June 2007.

10. The expert was under contract to deliver a comprehensive assessment of the Investigations Division, as set out in the terms of reference, and to report on the findings and offer recommendations for improvement. The expert worked independently and provided a comprehensive report on 26 June 2007.

11. In the report, the expert noted that the Investigations Division had not articulated a clear and consolidated operational strategy that would clearly define the goals of the Division and provide staff with a common basis for decision-making. This was found to be particularly evident with respect to the prioritization of cases within the Division. While the prioritization of cases appeared to be a key process in other organizations, such as the European Anti-Fraud Office of the European Commission and the World Bank's Department of Institutional Integrity, there was no such operational strategy for managing cases within the Investigations Division.

12. The report also pointed out the need to structure the Office optimally to ensure high quality and faster progression of cases, to empower the team leaders and to ensure proper responsibility and accountability. OIOS concurred with the expert's views regarding the strategic support and infrastructure required to establish New York as the headquarters of the Investigations Division. The review also proposed the establishment of an intake committee made up of the senior managers of the Investigations Division.

13. The expert also recommended that the Investigations Division:

(a) Develop a new electronic case management system with improved security case file management and archiving;

(b) Improve policies on internal and external communication and interaction: clarify the roles of the function, which matters the Division investigates and which are not within its purview and how and to whom case information and reports are disclosed, and build relationships with other functions within OIOS and with other

Secretariat entities (the Department of Management and the Office of Legal Affairs) and investigative offices in other international organizations; and improve internal communications within the Division itself;

(c) Provide investigators with basic tools and equipment;

(d) Develop procedures for dealing with sexual exploitation and abuse cases;

(e) Update and consolidate the Manual of Investigation Practices and Procedures to bring it in line with best practices and make it accessible to all staff as a reference document, particularly for new staff.

14. The expert added in his conclusion that despite the structural and organizational weaknesses and challenges in the Division, overall it had professional and dedicated investigators who strove to achieve the best results. Some of the investigators are key personnel who possess the skills, knowledge and experience needed to bring about positive change in the Division. The expert warned that unless major efforts to effect change were initiated in the near future, there would be a high risk of losing those very staff members who had both the ability and the knowledge required to bridge the gap to a strengthened Investigations Division.

III. Actions for strengthening the investigation function

15. On the basis of the conclusions and recommendations of the expert, OIOS has decided to initiate actions that pay particular attention to strengthening the Investigative Division in the following areas:

- Effective leadership and management
- Operating strategies and procedures
- Optimal structure and location

16. The operational independence of OIOS is the foundation on which its mandated functions, including investigations, are based. For investigations to have legitimacy and trust they have to be impartial, objective and independent, both in fact and in perception, and thus be protected from any external influence. Operational independence is a quality in itself and key to building trust among stakeholders and United Nations staff.

17. In establishing OIOS, the General Assembly decided on the operational independence of the Office in clear terms (resolution 48/218 B). The importance of this independence has been referred to in subsequent Assembly resolutions adopted following the five-year reviews of the OIOS mandate (54/244 and 59/272). Given that the operational independence of the Office and its investigations is guaranteed in its mandate, it is imperative that any action taken to strengthen the investigative function be built on the foundation established in resolution 48/218 B.

A. Effective leadership and management

18. In order to appreciate the current challenges faced by the Investigations Division with respect to leadership and management, it is essential to review the changes that have occurred in the Division. In terms of staffing, the Division

increased from 5 staff in 1994 to 16 in 2002 to 24 in 2004, and then steeply to 112 in 2006. This number includes senior and middle management, administrative and support staff and investigators located in New York, Vienna, Nairobi and several of the large peacekeeping missions. The decision in 2005 to place investigators in peacekeeping operations and to give OIOS the responsibility for investigating sexual exploitation and abuse cases are the main reasons for the increase in posts.

19. The transition from a small investigative unit comprising 20 to 30 staff based primarily in New York (which was the situation in as late as the second quarter of 2005) to a large division that has staff located worldwide is significant and demands a fundamental change in strategy, structure, organization and leadership to ensure successful operation. The deployment of staff in challenging environments worldwide requires sound strategic plans, a robust operational infrastructure and, most importantly, strong leadership.

20. The expert reported that in order to meet the requirements for change, the Division must rebuild the trust and respect that had eroded in recent years. The Division must develop a new vision for investigations and, more importantly, the senior managers in the Division must have the ability, dedication and leadership skills required to implement and facilitate essential changes. The terms of reference of the Director of Investigations, developed with the benefit of the review, reflect the qualities required for the proper leadership of the Division to ensure the effective and efficient delivery of the mandated function. The recruitment process is currently under way.

21. The leadership will, however, have to be supported by effective structures, strategic support at Headquarters and sound operational strategies and procedures. The Deputy Director of the Investigations Division has been charged with managing the implementation of the strengthening initiatives indicated in the present report.

B. Operational strategies and procedures

Investigations manual

22. The expert reported that the current investigations manual was noticeably lacking in useful and practical information for the investigators compared with similar manuals used in other international organizations and that it did not contain sufficient working instructions for conducting investigations. The expert also observed that the manual did not adequately serve as an introduction to the Division or the Organization, which is particularly relevant for new staff. Investigators in the Division have backgrounds as lawyers or investigators working in law enforcement agencies, and their experience and knowledge of law enforcement proceedings do not automatically translate into knowledge of the rules, regulations and proceedings of an internal, administrative investigative unit within the United Nations. Investigators may need guidance, for example, in obtaining evidence and information without the power and authority they may have possessed in other contexts. New investigators need an organized and comprehensive manual that provides background information on internal administrative investigations as well as instructional rules, regulations and procedures that are specific to their investigative work in the Division.

23. Another important benefit of an investigations manual is the promotion of transparency and accountability. Complainants, witnesses, subjects, victims, clients and stakeholders of the Division should be able to access information that explains the way in which investigations are conducted.

24. Taking all of the above into consideration, OIOS concurs with the expert's recommendation to establish a process for ongoing review and maintenance of an investigations manual. Transparency of procedures, facilitating an understanding of the process and the accompanying procedures involved in investigations, leads to an increase in trust from those outside the Division, as it shows the predictability of the process. It also instils a sense of accountability in investigators and their supervisors. Thus, the combination of transparency, predictability and accountability, further serves to protect individuals, since investigators are more compelled to follow the procedures and rules as set out in a widely accessible manual. The process to review and update the manual is currently under way.

Case intake and prioritization

25. Managing the OIOS caseload is a primary responsibility of senior management in the Investigations Division. The caseload as at 30 November 2007 was 252 cases. The breakdown of those cases into categories is provided in the table below. OIOS has during the past two years clarified the different concepts in the caseload statistics, and a clear distinction is now made between a "matter", which is an allegation or complaint brought to the Division, and a "case", which is essentially a matter that has been screened through the intake process. One of the first tasks undertaken by the Acting Director was a thorough analysis and evaluation of the caseload. The result of the Acting Director's efforts is a more accurate inventory of cases, which is now monitored and updated regularly. The caseload shown in the table does not include the cases being investigated by the OIOS Procurement Task Force.

Cases under investigation, by category, as at 30 November 2007

	Total cases		*Peacekeeping cases*	
Category	*Number*	*Percentage*	*Number*	*Percentage*
Financial	42	17	19	45
Inventory/assets	21	8	16	76
Management	28	11	16	57
Personnel[a]	72	29	34	47
Procurement[b]	7	3	5	71
Programmatic	4	2	2	50
Sexual exploitation and abuse	78	31	78	100
Open active investigations	**252**	**100**	**170**	**67**

[a] Includes misconduct by staff members that does not fall into another category.

[b] Procurement cases with the Investigations Division. As agreed, the Procurement Task Force is responsible for all other procurement cases.

26. No investigative unit can feasibly investigate every allegation or complaint received, nor would it be justifiable to do so. Deciding, therefore, which cases warrant further investigation is critically important. The expert commented that cases must be prioritized in a manner that produces reliable and consistent results and that is based on a specific set of objective criteria in order to optimize investigative resources and provide the necessary controls.

27. The Investigations Division has a case assessment process in place with established criteria for guidance in deciding which complaints warrant investigation and which should be dealt with through other mechanisms, such as referral to the Office of Human Resources Management or the programme manager. The expert recommended, however, that a special committee be established to make more informed decisions on case intake. OIOS concurs with this concept and will establish a Case Intake Committee in the Investigations Division. The Committee will comprise three individuals: the Director and the two Deputy Directors of the Division. Since decisions regarding which cases to investigate may also have implications for resources applied to ongoing cases, the Case Intake Committee will also oversee the progression of the ongoing case investigations and have the authority to change priorities and direction as it deems appropriate.

Comprehensive standard operating procedures

28. Standard operating procedures constitute the operational working instructions or procedural guidelines and the rules of conduct for investigators. Such procedures may also serve to inform other interested parties of the possibilities, limitations and processes of an administrative investigation conducted within the Organization.

29. The Uniform Guidelines for Investigations developed by the Conference of International Investigators in April 2003 made the recommendation to establish, publish and update clear rules of conduct for staff, investigators and relevant parties. In order to ensure adherence to uniform investigative procedures, written standard operating procedures must be set out for each major step of the investigative process.

30. Fairness and due process considerations are of little value without explicitly written rules and regulations for proceedings, as consistency and reliability are not guaranteed in their absence. Not only does the lack of such procedures negatively affect the rights that should be accorded to individuals during an investigation, but it also makes it difficult, if not impossible, for complainants, witnesses, subjects of an investigation and other concerned parties to understand and act in accordance with any such rules and regulations.

31. In determining which standard operating procedures are basic and necessary for the effective functioning of any investigative unit, it is important to understand the core principles involved in conducting an investigation. The following principles are set out in the World Food Programme investigative handbook, which OIOS regards as an example of good practice:

- Thoroughness — diligent, complete and focused manner
- Use of appropriate techniques — proportional to objectives
- Independence and impartiality — a fair and equitable manner

- Objectivity — unbiased and independent manner to determine the validity of an allegation
- Ethics — respectful conduct towards all parties
- Timeliness — quick investigations without compromising quality
- Accuracy — in the presentation of facts, conclusions and recommendations to be supported by adequate documentation
- Legal considerations — in accordance with applicable rules and regulations
- Due process — fairness to the subject in the disclosure of complaints made
- Confidentiality — efforts are made to keep the identity of staff members and others involved confidential

32. In 2006, the Acting Director recognized the need to refine and further develop standard operating procedures and encouraged investigators with the interest and expertise to establish special working groups to develop them.

33. In his preliminary review of the draft standard operating procedures, the expert concluded that they appeared to be written by highly qualified investigators who possessed a thorough understanding of the investigative process. More importantly, the draft procedures appeared to begin to address many of the deficiencies. Once these procedures have been adopted and staff have been trained, the investigations manual will be updated accordingly.

34. Draft standard operating procedures have been developed by the Investigations Division in the following areas:

(a) Evidence-handling;

(b) The information-receiving process;

(c) The case-initiation process;

(d) The preliminary investigation processes;

(e) The investigation-planning process;

(f) Initial case assessment;

(g) The case-assessment process;

(h) Interaction with military contingents;

(i) Information technology forensics;

(j) Glossary of terms;

(k) Contact between the Department of Peacekeeping Operations and OIOS;

(l) Media contact;

(m) Contact with national authorities;

(n) The handling of informants;

(o) The management of major investigations.

Investigative tools and technology

35. The expert rec mmended that the Investigations Division make increased use of computer forensic tools in order to take advantage of information technology capabilities and that it direct its efforts towards strengthening computer forensic skills, tools and resources generally in the Division.

36. The Division will incorporate new computer forensic methods, tools and practices (such as data-mining) to improve its ability to detect fraud. The implementation of this recommendation is being addressed in the context of the development of the standard operating procedures for information technology forensics.

37. The expert reported that the current OIOS case management system was inadequate and should be replaced by a system that met the requirements of the users and was secure, reliable and accessible worldwide. The expert made extensive recommendations on improving the use of technology with respect to the case management system, which is a vital tool for the operation of any investigative unit. According to the expert, the system used must be reliable, effective and accessible worldwide to all Investigations Division staff members in all offices. Furthermore, it should serve as a means of ensuring confidentiality protection, which is a major concern for all investigative units. Therefore, an effective case management system ensures that only strictly authorized persons have access to the files and that any changes made are recorded systematically in an audit trail.

38. OIOS agrees that the case management system is a central tool that enables users to plan, organize and manage investigative work in an efficient and effective manner. OIOS also agrees that the Division's current case management system should be replaced. This is a key project for the Division that will be initiated after funds for information technology tools are approved in the 2008-2009 proposed programme budget for the biennium.

C. Structuring the Investigations Division for optimal performance

39. The expert's report concluded that there are several possible structures for an effective Investigations Division and that the present organizational structure was one of the main factors contributing to the problems facing the Division.

40. The most significant of the expert's proposals for a new structure are:

- To establish specialist teams of investigators
- To organize the Division in three main centres, in New York, Geneva and Nairobi, with the headquarters in New York

41. OIOS has studied the proposals carefully and concurs with the principles in the expert's recommendations and the need for changes in the structure of the Division. The principles of the restructuring have been discussed with the Department of Field Support, from the perspective of the implications for it on the funding it provides for resident investigators and from the perspective of changes in the location of investigators covering the peacekeeping missions. The Department of Field Support expressed support for the proposals.

Specialization of investigators

42. With regard to the types of investigations conducted, OIOS broadly separates its cases into two types: (a) cases involving financial or economic misconduct by staff members or contracted third parties and administrative misconduct by staff members; and (b) cases involving sexual exploitation and abuse by United Nations staff members. This distinction between types of cases does not change the categorization of matters into category I and category II as established by the General Assembly in its resolution 59/287, nor will it change the scope and extent of the investigations that OIOS is mandated to undertake.

43. The skills and experience required for the two types of investigation undertaken by the Investigations Division vary significantly, and the experience of OIOS over the years, combined with the expert's report, provide a compelling argument for placing investigators in specialized teams/units. Investigators of sexual exploitation and abuse cases must be experts who have had experience in sex crime investigations, particularly those involving children, and must have access to modern forensic methods. An investigator who has expertise in dealing with issues of sexual exploitation and abuse would not necessarily possess the same level of expertise for the investigation of complex fraud cases. Similarly, it is unlikely that a sexual exploitation and abuse investigator would have the level of expertise needed to specialize in investigating "white-collar" crime, namely, knowledge of business procedures as well as informal ways of concealing corruption, fraud and embezzlement. OIOS has decided therefore that the teams should be staffed by investigators who have the requisite amount of skill and expertise in the respective area.

44. Specialization will produce greater focus and encourage the development of expertise in the particular type of investigation, as well as the development of appropriate tools and techniques, all of which will improve the quality and speed of investigations conducted. OIOS will continue to focus on category I matters and, where required, category II matters as well. The specialization simply means that OIOS will match the cases with the appropriate investigative skill set for that type of case.

45. The concept of a holistic approach to zero tolerance for sexual exploitation and abuse is also a supporting factor in the move of OIOS towards the specialization of investigations. In this regard, OIOS has started to work closely with the Conduct and Discipline Teams in the peacekeeping missions and with the Department of Safety and Security to build a comprehensive response to this issue and to ensure that there is absolute clarity with regard to the roles of the different offices.

46. OIOS will implement specialist investigation teams/units in conjunction with the restructuring of the Investigations Division.

Concentration of investigators in three regional centres

47. The expert recommended that the structure of the Investigations Division would be optimal if the investigators operated out of three regional centres, located in New York, Geneva and Nairobi. Such a structure would:

- Ensure that investigators are working together in teams to ensure optimal case planning, organizing and steering in each case investigated by the Division

- Shorten the chain of command as well as the reporting lines, which would speed up the amount of time between the receipt of allegations and the submission of the final case report to the programme manager
- Increase responsibility and accountability for supervisors as well as every staff member in the Division
- Ensure uniform decisions and accurate assessments in the intake process as well as in the report-writing stage
- Ensure that total quality management and internal control systems are in place
- Ensure that investigators maximize the relationship and synergy with other OIOS disciplines

48. OIOS concurs with the expert's conclusion and the proposal to concentrate the investigative capacity in three regional centres. However, OIOS concludes that Vienna should remain one of the three centres rather than creating a new investigation centre in Geneva, as proposed in the expert's report.

49. OIOS will therefore relocate investigators from the peacekeeping missions to the United Nations Offices at Vienna and Nairobi and to New York. The advantage of this structure is that the investigators will be co-located in a larger pool, offering the Division more options for ensuring that the specific skills required for a case are readily accessible while still being close enough to the peacekeeping missions to be able to respond to any critical need within a few business days. In addition, this structure ensures that the investigators' time and expertise are maximized by being directed to high-risk cases within the remit of the relevant regional centre rather than being limited to cases within the assigned peacekeeping mission. The structure also provides staff with an environment more conducive to professional interaction with colleagues and to obtaining cost-effective training and support. Such a structure also ensures more effective management of cases and more effective supervision of investigations.

50. The strong arguments in support of this change in the structure emanate from the experience of having resident investigators located in the missions for the past two years. Currently, OIOS teams that are resident in the peacekeeping missions consist of three to eight investigators in each mission. In total, OIOS has 33 investigators based in field missions. Experience has shown that in order to conduct high-quality investigations, the resident investigator teams should comprise specialist expertise in sexual exploitation and abuse as well as financial, economic and administrative investigations. These specialist skills, however, are rarely found in the same individual.

51. The experience of the Procurement Task Force shows that highly qualified and specialized teams may carry out and complete complicated investigations after only a couple of field visits of a few weeks each. The Task Force is based in New York, and its investigators travel to the missions to conduct their investigations.

52. The challenge for small mission-based teams, therefore, is to conduct high-quality investigations with limited staff in both sexual exploitation and abuse and financial, economic and administrative cases. A further challenge is to conduct those investigations in a timely way while maintaining the standard practice of having a minimum of two investigators on each case to ensure integrity and quality

in the process as well as to allow investigators to take their authorized time off from the mission.

53. As a result of these challenges, investigations frequently take a long time to conclude, and OIOS is often criticized for not finalizing investigations promptly. The lengthy investigation time is a major problem for cases in the missions and is in itself an impediment to high-quality work. It also delays decision-making on the part of management and the administrative follow-up of an investigation.

54. From experience, OIOS regards five investigators and one administrative assistant as an absolute minimum in every mission. In the big missions, such as the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Mission in the Sudan and the United Nations Operation in Côte d'Ivoire, where the number of sexual exploitation and abuse cases is significant, the size of the team should be at least double the minimum. This arrangement is, however, not cost-effective for the Organization in terms of overcoming the challenges faced by having resident investigators in the missions. In addition, the consequence of the time-off rules for staff based in the peacekeeping missions reduces the time effectively available to conduct investigations.

55. There are cost implications associated with this structural change, and OIOS will present them to the General Assembly for consideration in the context of the proposed budget of the support account for peacekeeping operations for 2008/09. OIOS also foresees servicing new peacekeeping missions the United Nations Assistance Mission for Iraq and the United Nations Mission in the Central African Republic using existing resources in the new structure, whereas the old structure would require new posts (approximately 18) to establish resident investigator teams in the two missions. In summary, while there are cost implications of moving staff to the regional centres, there are also cost savings, in that OIOS will be able to cover the Organization's operations with approximately 18 fewer posts.

Approach to the investigation of financial, economic and administrative misconduct allegations

56. OIOS will restructure to deal effectively with financial, economic and administrative misconduct allegations involving staff and contracted third parties (vendors, consultants and contractors).

57. The main element of this restructuring is that the principal Deputy Director in the Investigations Division will be given responsibility for investigations that are financial, economic and administrative in nature. The principal Deputy Director will also have the lead in developing the Division's methodologies, tools and specific practices for financial, economic and administrative investigations, as well as in training the investigators and reviewing the draft reports from all the teams conducting this type of investigation.

Approach to the investigation of sexual exploitation and abuse allegations

58. Currently, the responsibility for investigating sexual exploitation and abuse allegations in peacekeeping missions is decided by the Conduct and Discipline Teams in the missions and the Investigations Division on a case-by-case basis. There is no formal system in place to determine how different types of cases are handled or channelled. In practice, the Chief Resident Investigator generally decides

which cases are to be investigated by the Investigations Division and which are to be dealt with by a Conduct and Discipline Team. The results of the Division's investigations are reported to senior management in the Department of Peacekeeping Operations.

59. In the opinion of OIOS, the only effective way to combat sexual exploitation and abuse is to conduct training and awareness programmes aimed at prevention as well as to hold troop commanders accountable for the actions of the troops under their command. The creation of an efficient, objective, effective and timely system for the conduct of investigations is important not only as a means of seeking justice, but is also a critical component in the deterrence and prevention of sexual exploitation and abuse cases. In the missions, the training and awareness programmes are conducted primarily by the Conduct and Discipline Team. Reliable and thorough investigations may also play a role in prevention, provided that the investigation itself reveals facts and information to potential perpetrators of sexual exploitation and abuse regarding the risks and consequences of exposure. However, OIOS would like to point out that when a case is received for investigation, it is tantamount to proof that preventative actions have failed. Once cases reach OIOS for investigation it is already too late.

60. OIOS will, in close cooperation with the Department of Field Support and the Department of Safety and Security, seek to clarify its role in sexual exploitation and abuse cases on the basis that the Investigations Division will continue to investigate such cases within the framework of the responsibilities of the different investigative units in the missions. In its resolution 61/276, the General Assembly stressed the importance of eliminating misconduct, including sexual exploitation and abuse, and requested the strengthening of cooperation and coordination among the Conduct and Discipline Teams, OIOS and other entities in the United Nations system. The new approach to sexual exploitation and abuse investigations should also take into account resolution 61/267 B, in which the Assembly endorsed amendments to the model memorandum of understanding with troop-contributing countries that give the Government concerned primary responsibility for investigating members of its national contingent. This will significantly change the role OIOS plays in the investigation of sexual exploitation and abuse cases involving members of national contingents.

61. The clarification of roles implies the development of a clear delineation limiting the sexual exploitation and abuse cases to be investigated by the Investigations Division to the following types:

(a) Rape; and

(b) Sexual exploitation and abuse involving minors (those under 18 year of age).

62. Clearly defining the Investigations Division's caseload to focus on these specific types of cases, already established by the General Assembly as category I, will allow investigations to proceed in a proper and timely fashion, ultimately leading to an increase in the number of cases that have been effectively resolved. It will also allow professional investigators to direct their resources towards the most serious of violations, as well as allowing for cases to be properly followed up, in an effort to provide for the best interests of the victims, the Organization and the subject.

63. Such clarification of roles will require further discussion among OIOS, the Conduct and Discipline Teams and the Department of Safety and Security on their respective roles and responsibilities to ensure that there are no gaps in the Organization's response to sexual exploitation and abuse allegations.

64. Within OIOS, the investigation of sexual exploitation and abuse allegations will be led by a Deputy Director, who will be responsible for all final investigative reports on sexual exploitation and abuse cases and will provide support and training to team members dealing with those cases in all locations.

65. The approval by the General Assembly, of the model memorandum of understanding prescribing a primary role for the Governments of the troop-contributing countries in investigating members of their own national contingents (see para. 60 above) changes the role played by the Investigations Division in the investigation of troops and further supports the relocation of investigators from the missions to the regional centres, to be brought in as and when required.

Procurement Task Force

66. As mentioned above, the quality and success of the OIOS Procurement Task Force investigations underscore the advantages of specialist professional investigators and provides further justification for the restructuring of the Division into specialized units. Experts in the field will provide specialized, cutting-edge knowledge, as well as knowledge of changes in the applicable rules and regulations of a given field. The Division is currently not structured in a way that optimally utilizes and takes advantage of the strengths and abilities of its individual investigators.

67. The Procurement Task Force was established in January 2006 as an ad hoc team that brought in external investigators specifically selected for their expertise to deal with the complex procurement investigations arising out of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme. To date, the Procurement Task Force has completed more than 100 cases and issued 25 reports. A report on the activities of the Task Force is provided in document A/62/272.

68. OIOS will successively integrate the model of the Procurement Task Force within the Investigations Division. Like the Task Force, the investigators in the teams responsible for financial, economic and administrative misconduct investigations will have to have specialist skills, and will also have expertise or be trained in the use of specialized tools to carry out their functions effectively and efficiently.

69. Unfortunately, the expert's report on the review of the Investigations Division and the discussion of the results was not available at the time that the 2008-2009 regular budget was due for submission, and thus no provision was made in the budget for incorporation of the Procurement Task Force caseload into the Investigations Division. The Secretary-General has subsequently submitted a report on resource requirements for procurement investigations (A/62/520) in which he proposes interim arrangements for the Procurement Task Force for 2008.

70. In accordance with the aforementioned principles, OIOS will restructure the Investigations Division as outlined below.

Proposed new structure for the Investigations Division

Headquarters (New York)

71. As explained above, the Director of the Investigations Division will be located in New York and will report directly to the Under-Secretary-General for Internal Oversight Services.

72. The Director of the Division will be accountable to the Under-Secretary-General for the overall operations of the Division. Those directly reporting to the Director will be:

- The principal Deputy Director, also located in New York
- The Deputy Director, located in Nairobi
- The New York Investigations Unit
- The Chief of the Administrative Unit

73. The principal Deputy Director, located in New York will be accountable to the Director for:

- General management of the Division, including budget and case management
- Supervision of the following units:
  - European Investigation Unit
  - Training Unit
  - Professional Practices Unit
  - Information Technology Forensic Unit
- Chairing the Investigations Division Intake Committee
- All investigations relating to financial, economic and administrative misconduct involving staff members and contracted third parties

74. The Chief of the New York Investigations Unit will be responsible for supervising the two teams — financial, economic and administrative, and sexual exploitation and abuse.

European office (Vienna)

75. The European office will be headed by a Chief of Office, who will report to the principal Deputy Director in New York.

76. The Investigations Division office in Europe will conduct investigations into matters arising from the operations of the Organization's offices in Vienna, Geneva and other offices in Europe, as well as providing investigative services to peacekeeping missions located in West Africa, the Middle East and Asia (the United Nations Mission in Liberia, ONUCI, the United Nations Interim Force in Lebanon, the United Nations Peacekeeping Force in Cyprus and the United Nations Integrated Mission in Timor-Leste). The European office will also include a financial, economic and administrative misconduct team and a team to investigate sexual exploitation and abuse cases. The sexual exploitation and abuse team in the European office will take guidance from the Deputy Director responsible for this

type of investigation, and as such all reports relating to this team will be finalized by the responsible Deputy Director.

77. Each of the two teams will be headed by a team leader reporting to the Chief of the Investigations Division European office.

African office (Nairobi)

78. The Chief of the Investigations Division office in Africa will be a Deputy Director who will report directly to the Director the Division. The Chief will also be the Deputy Director, mentioned above, who has responsibility for all sexual exploitation and abuse investigations conducted by the Division and will be the OIOS focal point for dealing with such cases.

79. Similar to the set-up in the European office, the African office will comprise two teams conducting two different types of investigations — financial, economic and administrative misconduct, and sexual exploitation and abuse. For all investigations of financial, economic and administrative matters, the reports will be finalized by the principal Deputy Director, based in New York, who has been assigned responsibility for this type of investigation. The African office will be responsible primarily for investigating cases arising out of the Organization's operations in the United Nations Office at Nairobi and peacekeeping missions located in East and Central Africa (MONUC, UNMIS, the United Nations Operation in Burundi, the United Nations Mission in Ethiopia and Eritrea, UNAMID and MINURCAT).

80. As mentioned above, the most significant change in the current structure is the transfer of investigators and other support staff, as required, from the missions to regional offices in New York, Vienna, and Nairobi.

Number of staff in the Investigations Division

81. The implementation of the regional centre model and the subsequent relocation of the resident investigators from the missions to those centres will result in less demand for additional posts when new missions are mandated. As an example, and as stated above, the current structure would have required new resident investigator posts to staff the missions in Darfur and Chad, whereas existing resources will be used if investigators are co-located as proposed in the regional centre model. The number of posts in the Investigations Division is therefore dependent on the structure of the Division.

82. In future, OIOS may require more non-post resources to support the operational strategy with regard to information technology forensics. Posts that become vacant will, over the next biennium, be re-encumbered by staff with the specific skills and competencies required to build teams in each of the regional offices as set out above. OIOS will also use this opportunity to establish an appropriate balance between the number of investigators in the Division who have backgrounds as lawyers and as investigative law enforcement professionals.

83. The proposed structure represents an opportunity to build a better, more cohesive and more effective organization that will be supportive of the investigators in their work, especially when combined with the right leadership.

IV. Conclusions

84. The key action to be taken to strengthen the leadership and management of the Investigations Division is the appointment of a Director. The terms of reference of the Director, Investigations Division, have been posted, and the recruitment process is planned for completion by March 2008.

85. OIOS has already initiated actions to strengthen its operating procedures. As indicated, working groups comprising Investigations Division staff members are in the final stages of developing standard operating procedures for several key aspects of the Division's work. The Deputy Director is charged with finalizing and implementing the procedures, as well as other actions relating to operating strategies and procedures of the Division, including the maintenance of the investigations manual, case intake procedures, information technology tools and the case management system.

86. The implementation of the restructuring of the Investigations Division will be approached with care and with full consideration of the impact that the specialist team/unit concept and the relocation of investigators from the peacekeeping missions will have on the affected staff.

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General Assembly

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Sixty-second session
Agenda item 70 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 4 December 2007 from the Minister for Foreign Affairs of Honduras to the Secretary-General

I have the honour to convey to you the views of the Government of the Republic of Honduras regarding the preliminary report submitted by Ambeyi Ligabo, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, who visited Honduras from 26 to 30 November 2007.

Considering that the Government of the Republic of Honduras guarantees freedom of expression and free access to information, I would appreciate it if the document in question were circulated to Member States of the Organization as a document of the General Assembly under agenda item 70 (c).

(*Signed*) Milton **Jiménez Puerto**
Minister for Foreign Affairs

07-64241 (E) 171207 171207

Annex to the letter dated 4 December 2007 from the Minister for Foreign Affairs of Honduras to the Secretary-General

Views of the Government of the Republic of Honduras regarding the preliminary report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

1. The Government and the President of the Republic promote and respect the right of citizens to be duly informed and guarantee free access to information, without any censorship whatsoever.

2. As proof of this, at the recent General Assembly of the Inter American Press Association (IAPA), President Zelaya Rosales, in an unprecedented act, expressed concern at the problem that ownership of the mass media is concentrated largely in a small group of private entrepreneurs who, in addition to running the communications business, are directly linked to matters relating to public administration, such as the supply of drugs to the public health system, arms purchases by the national security services, the telecommunications business and public works projects (roads, hospitals and schools).

3. There is no question that the private property of the communications media, and especially the electronic media since this sector is an oligopoly in Honduras, allows the owners as a group to control information and public opinion through the communications system; this has an impact on the dissemination of information, formation of opinions and slant of the news.

4. Thus, the visit by Ambeyi Ligabo, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, at the request of the Government of the Republic of Honduras, is of particular relevance since there is no doubt that freedom of expression is an indispensable requirement for the existence of a democratic society.

5. The Government of Honduras provided all necessary facilities for the success of the visit. However, it cannot be denied that in preparing for it, a meeting with the President of the Republic was not originally planned and that when an interest in such a meeting was ultimately expressed, the President had prior commitments on his agenda.

6. In addition, Mr. Ligabo's agenda, which was coordinated by the United Nations Development Programme (UNDP) Office in Honduras, was unbalanced from the point of view of the journalists with whom he met; this tended to convey a situation divorced from reality since most of the journalists interviewed are members of or associated with the media group that exercises the aforementioned oligopoly. This situation leads to conflicts of interest in relations between the Government and the private owners of the mass media, who use their media as instruments for pressuring economic and political opposition groups.

7. It is also important to note that, as the Special Rapporteur stated, some newspapers are dependent on State advertising. Of course, this accounts for less than 30 per cent of all advertisements in the press; they are found primarily in radio and television broadcasts.

8. Insecurity in the region is undoubtedly a sensitive and recurrent issue that has a negative impact on the domestic environment. In his preliminary statement, the Special Rapporteur explains that he will prepare a report that will include detailed observations and recommendations and will "strongly condemn" the murder of one journalist and the voluntary exile of two other journalists; he calls on the authorities to review and strengthen the protection programmes for journalists. In that regard, the Government of Honduras is making a great effort to confront the threat of organized crime, particularly drug trafficking, and, as is its obligation, to ensure the security of all citizens. It is therefore essential to determine whether these cases are linked and whether they are related to the exercise of the journalistic profession.

9. In the case of the murder of the journalist, Carlos Manuel Salgado Godoy, on 18 October 2007, an automatic investigation was opened and at 1.30 p.m. on 27 October 2007, German David Almendares Amador was captured; he is being prosecuted in the First Criminal Court of Tegucigalpa.

10. The attempted murder of journalist Héctor Geovanny García Castellanos on 7 September 2007 is under investigation by the Secretary of State for Security and the Public Prosecutor's Office.

11. Dagoberto Rodríguez, who has stated that he learned from an anonymous source that he, rather than Mr. Salgado, was the intended victim of the murder attempt, has lodged a complaint with the Human Rights Ombudsman. However, the police database has no record of a complaint that would make it possible to take the necessary steps to investigate the alleged attack on him, particularly as Mr. Rodríguez has shown no interest in informing the investigation team of his assertions. In any event, Mr. Rodríguez left the country on 1 November 2007 without giving testimony as a victim, which would be essential in directing the course of the investigation.

12. The Supreme Court is conducting a legal analysis of the decriminalization of offences against good reputation with a view to proposing such a reform to Congress once the various sectors of Honduran civil society have been consulted.

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Sixty-second session
Agenda items 70 (a) and 70 (f)
Promotion and protection of human rights: implementation of human rights instruments; celebration of the sixtieth anniversary of the Universal Declaration of Human Rights

Letter dated 12 December 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement made by the Minister of Foreign Affairs of the Republic of Cuba, Felipe Pérez Roque, to the local and foreign media at the Ministry of Foreign Affairs on 10 December 2007, Human Rights Day, where the Minister announced the Cuban Government's decision to sign, soon, two important and well-known international human rights instruments, namely the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (see annex).

Furthermore, I kindly request that the present letter and its annex be circulated as a document of the General Assembly under agenda items 70 (a) and 70 (f).

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative of Cuba

07-64371 (E) 191207

Annex to the letter dated 12 December 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement to the national and foreign press by Mr. Felipe Pérez Roque, Minister for Foreign Affairs of the Republic of Cuba, at the Ministry for Foreign Affairs on 10 December 2007

[Original: Spanish]

Good morning. We would like to thank all the national and foreign media correspondents who are here with us today.

We have convened this meeting with you to announce that Cuba is shortly due to sign the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Our country has chosen to announce this political decision today, 10 December, on Human Rights Day, as we commemorate the fifty-ninth anniversary of the proclamation by the United Nations General Assembly of the Universal Declaration of Human Rights.

The rights reflected in both Covenants, which are among the most important international human rights instruments, are widely protected by our domestic legal system, particularly owing to the achievements and accomplishments of the Cuban Revolution following its triumph in January 1959.

This decision, to be followed through in the coming months, demonstrates that our country will always maintain close cooperation with the United Nations system on the basis of respect for our national sovereignty and respect for the right of the Cuban people to self-determination.

As long as human rights manipulation persisted against Cuba; as long as the Government of the United States could transform the former Commission on Human Rights into an inquisitorial tribunal to persecute the countries that rebelled against imperial domination; as long as attempts were made to manipulate the issue of human rights against Cuba to justify the embargo and attacks against our country; as long as the human rights campaign against Cuba continued to prevail, particularly at the former Commission in Geneva, through brutal pressure and blackmail exerted each year by the United States of America; as long as all of this occurred, the minimum conditions did not exist to evaluate Cuba's new commitments to the United Nations human rights machinery. However, that situation has changed radically with the emergence of the new Human Rights Council, of which Cuba became a founding member thanks to the votes of more than two thirds of the members of the international community. The situation has also changed because, as is well known, the spurious mandate imposed by the United States to monitor the situation in Cuba was discontinued.

Since a new situation has arisen whereby human rights issues are not being manipulated against Cuba and the anti-Cuban strategies of the United States have failed, after 20 years in which Cuba had fought for truth and in defence of its principles and dignity, the conditions have now been met for Cuba to undertake new steps that will demonstrate its political will both to cooperate with the United Nations and to provide its contribution and experience to the international community in this field.

Cuba has never acted and will never act under coercion. However, once the Human Rights Council decided, and the Third Committee of the United Nations General Assembly confirmed, that the spurious anti-Cuban mandate would be discontinued, our country then put forward several initiatives for international cooperation in the field of human rights. Hence, we were recently visited by the United Nations Special Rapporteur on the right to food, and hence today's announcement concerning the Cuban Government's decision to sign the two human rights covenants in the first quarter of next year: the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

Furthermore, in the future our Government will extend invitations to other special procedures mandate holders of the Human Rights Council as evidence that human rights issues can no longer be manipulated against our country and that the twenty-year manoeuvres orchestrated by the Government of the United States have been utterly defeated. Our country can then provide clear proof of its desire for cooperation and attest to its commitment to the international defence of human rights.

The decision to further deepen its formal commitment by signing both covenants — since a real commitment has always existed and since it was the Cuban Revolution that guaranteed respect for the human rights of Cubans — is another example of what our country can do when there are no political conditionalities and when it is not unfairly singled out.

So it is that today, 10 December, on Human Rights Day, our country — in a free and sovereign manner, without external pressure and in keeping with its conscience and determination and in the exercise of its sovereignty — announces the signing of these two important human rights instruments as a further step forward in Cuba's commitment.

In accordance with the commitment that it entered into by supporting the creation of the new Human Rights Council and its procedures, Cuba is also preparing, in March 2009, to present a report and to be reviewed under the universal periodic review mechanism established by the new Council. Our country received this submission date of March 2009 as a result of lots drawn on an equal basis for all countries. In anticipation of this date, we are undertaking serious efforts in a spirit of cooperation and arising from a willingness not only to impart our results, our accomplishments, our shortcomings and our challenges, but also to hear the opinions of other stakeholders with respect to this issue.

Cuba will maintain this approach for as long as the current situation remains unchanged: i.e., that of non-singling out, non-selectivity and non-discriminatory or politicized use of human rights issues to attack or justify attacks on countries that do not submit to imperial decrees. As long as the situation remains the same as today, our country will be free to follow this path.

However, if, unfortunately and contrary to our desires and aspirations, this issue again becomes politicized and the atmosphere of cooperation and respect now prevailing among countries in the Human Rights Council once again deteriorates, our country would be compelled — and would not hesitate — to rejoin the fray and to brandish the flags that we have defended victoriously for 20 years, until such time

as we succeed in utterly and definitively defeating the campaign orchestrated by successive United States administrations against Cuba.

In addition to this announcement on the fifty-ninth anniversary of the proclamation of the Universal Declaration of Human Rights by the United Nations General Assembly, and as we begin the year that commemorates its sixtieth anniversary, Cuba today reiterates its demand — as called for overwhelmingly by the United Nations General Assembly in 16 successive resolutions — for the Government of the United States to lift the brutal economic, financial and trade embargo imposed on Cuba for almost 50 years, which is a flagrant, massive and systematic violation of the human rights of our people.

On a day like today, it is worth recalling that our people have been suffering for almost five decades from a brutal and genocidal embargo that seeks to bring them to their knees from hunger and disease.

On the day that the world commemorates Human Rights Day, we reiterate our demand for the United States Government to heed the opinion of the international community and to lift the embargo on Cuba.

Second, on behalf of the Cuban people, we call on the United States Government, without any further delays or justifications, to immediately close the shameful torture centre that it continues to operate at its naval base in Guantánamo, where prisoners have been subjected to all manner of harassment and cruel, inhuman and degrading treatment, in breach of all the guarantees enshrined in international law for imprisoned persons. In addition to the closing of this disgraceful centre, we demand that the United States Government return to our country the territory that it is currently occupying illegally and against our will in Guantánamo, thus depriving Cuba of its right to exercise sovereignty over that part of its territory.

Today, on Human Rights Day, we call on the President of the United States and the United States Government to close down the torture centre in Guantánamo and to return the illegally occupied territory to our homeland.

Third, on a day like today, we demand the immediate release of the five Cuban heroes: Gerardo Hernández Nordelo, Ramón Labañino Salazar, Fernando González Llort, Antonio Guerrero Rodríguez and René González Sehwerert, who are political prisoners held in United States jails subject to unjust and harsh convictions. Confined to punishment cells for long periods and subject to other cruel, inhuman and degrading treatment, they have now been held for nine years. As they enter their tenth year of captivity, we demand that they now be released.

In particular, on behalf of the Cuban people, we demand that Adriana Pérez O'Connor, the wife of Gerardo Hernández Nordelo, and Olga Salanueva Arango, the wife of René González Sehwerert, be allowed to visit their husbands, whom they last saw in 1998. We demand respect for their rights and we challenge the President of the United States and the United States Government to allow these two women, daughters of our nation, to be able to visit their husbands in the prisons where they are now serving harsh sentences.

Fourth, on behalf of the Cuban families mourning the loss of their loved ones as a result of the acts of terrorism committed by Luis Posada Carriles; on behalf of those families who lost children, parents and siblings; we demand that the

international terrorist Luis Posada Carriles, who today walks freely around the city of Miami under the protection of the Government of President Bush, be tried for terrorism and imprisoned, or that he be extradited to Venezuela, as called for by the Government of that country.

I would also like to express our satisfaction that Cuba's medical brigade — which is made up of some 300 members, who have been working in Guatemala since Hurricane Mitch struck the countries of Central America in 1998 — has been awarded the national human rights award from that fraternal country.

Since their arrival in rural, mountainous areas located in the wildest and remotest parts of Guatemala, Cuban doctors have provided more than 22 million consultations and assisted with more than 55,000 births. This recognition of their noble work is also recognition of all Cubans throughout the world who are currently making a generous contribution to respect for human rights, particularly the right to life for millions of people.

Today, on Human Rights Day, I would like to recall that, as we speak, there are 37,000 Cuban health workers in 79 countries. Of those, more than 18,000 are doctors. Thirty-seven thousand health workers in 79 countries! In the next few days one million patients will have been operated on free of charge under Operación Milagro (Operation Miracle). One million patients from 32 countries have had their eyesight restored in the last few years as a result of Operación Milagro, which was initiated by our country. These patients were operated on by Cuban surgeons, nurses and technicians either in Cuba or in their respective countries.

I would next like to highlight the fact that our universities have provided Government-sponsored scholarships to nearly 30,000 students from 121 countries. These are children from poor families, often from the rural areas of their countries. Of those nearly 30,000 students, some 23,000 are being trained in Cuba as doctors.

In recalling that our country has graduated more than 45,000 youths from the Third World throughout the years of the Revolution, of whom almost 35,000 are African, we must cite the words of Fidel Castro: "No freedom is possible without culture." We must also recall Martí, who said that "being educated is the only way to be free". And, with regard to what I have just said, I should also underline that thanks to the Cuban literacy method *Yo sí puedo* (Yes I can), designed by Cuban teachers and used by thousands of Cuban resource teachers, some 2.7 million illiterate people in 22 countries have already been taught to read and write; and another 600,000 illiterate people are currently learning to read and write in the languages of their countries, not only in Spanish.

In citing these figures I can modestly state, albeit with healthy pride, that Cubans are fighting not only to build a more fair society with full equality of opportunities for all its children but also for a socialist society with equal opportunity for all where full justice can be attained. I must also express our pride in the knowledge that our compatriots have already travelled to African countries to cure, to teach and to combat apartheid and colonialism. Over 350,000 Cuban voluntary combatants, both men and women, went to Africa to defeat the troops of apartheid, thereby contributing, in the twentieth century, to the elimination of a brutal form of discrimination on the basis of skin colour. It was also in Africa where more than 2,000 sons and daughters of our country laid down their lives, thereby making possible the preservation of Angola's territorial integrity, the emergence of

Namibia as an independent country, the release of Nelson Mandela and the dismantling of the cruel apartheid system. That system was kept alive by the shameful support of many who now try to forget that in the past they were accessories to the apartheid regime, which they helped to arm and to violate United Nations resolutions. First and foremost among these is the Government of the United States. I would therefore like to express our pride that we in Cuba are not only working for and defending civil, political, economic, social and cultural rights for our people, but that we are campaigning in other countries of the world so that these rights become truly accessible to all and no longer merely rights proclaimed on paper.

Today, we express our conviction that neither the manoeuvres orchestrated by the United States Government with the participation of a few mercenaries, whom they pay and send to our country, nor that Government's threats, its abundant sums of money used to finance betrayal and disloyalty, its media campaigns, its power over the international media or its pressure on other Governments to join its anti-Cuba campaigns will cause our country to waver from its course of defending human rights for our people and for other peoples.

Cuba celebrates this day, 10 December, Human Rights Day, with its head held high and with the conviction that its people have maintained and forever will maintain a victorious revolution that truly ushered in the genuine enjoyment of human rights for our people: the enjoyment of all human rights for all the children of our homeland!

United Nations A/62/585–S/2007/733

General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-second year

Identical letters dated 12 December 2007 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write with regard to the alarming Palestinian terrorist attack carried out today, Wednesday, 12 December 2007, against Israel.

Earlier today, at least 15 Qassam rockets were launched by Palestinian terrorists in the Gaza Strip at the Israeli town of Sderot. The rockets caused injury to five Israeli civilians, who were slightly wounded from the barrage.

Israel views these terrorist attacks with grave severity, particularly in light of the fact that they occurred the morning prior to a meeting between the Israeli and Palestinian Authority chief negotiators, Ms. Tzipi Livni and Mr. Ahmed Queria, to launch the important peace talks discussed last month in Annapolis. The timing of the attack is another clear indication of the Palestinian failure to end the violence and terrorism against Israel. The terrorists obviously struck with the explicit intention of derailing our efforts in pursuit of peace and security.

More than 2,000 rockets have been fired by Palestinian terrorists since the beginning of 2007 and security services estimate that, since Hamas took control of the Gaza Strip in June 2007, a rocket is fired at Israel, on average, every three hours.

Israel retains the right to exercise itself in self-defence, as is the right to all sovereign nations, under Article 51 of the United Nations Charter. Israel will continue to do all that is necessary to safeguard the lives of its citizens and ensure their right to live free from fear and terrorism.

I should be grateful if you would have the contents of the present letter circulated as a document of the sixty-second session of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

07-64327 (E) 141207

United Nations A/62/586

General Assembly

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Sixty-second session
Agenda items 138 and 139

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Revised estimates for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia: effect of changes in rates of exchange and inflation

Report of the Secretary-General

Summary

A preliminary recosting is reflected in the budgets for the biennium 2008-2009 for both the International Criminal Tribunal for Rwanda (A/62/468) and the International Tribunal for the Former Yugoslavia (A/62/374).

In order to update the costing parameters, the proposed budgets are recosted prior to their adoption by the General Assembly. The present report provides the latest data on actual inflation experience, the outcome of salary surveys, the annual cost-of-living adjustments, the movement of post adjustment indices in 2007 and the effect of the evolution of operational rates of exchange in 2007 on the proposed budgets for the Tribunals for the biennium 2008-2009.

After recosting, the resource requirements for the biennium 2008-2009 as proposed by the Secretary-General would amount to $280,386,800 gross for the International Criminal Tribunal for Rwanda and $364,666,900 gross for the International Tribunal for the Former Yugoslavia.

07-64670 (E) 171207

1. To provide a comparable basis on which to analyse increases and decreases from one biennium to another, the proposed budgets for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia are normally presented at the same price levels and rates of exchange as are used in the current budgets. At the same time, the proposed budgets contain provisions for anticipated increases due to inflation and adjustments due to changes in the rates of exchange. These are isolated and presented separately in the column headed "recosting" in tables in the proposed budgets. The budgets are subsequently recosted three times in the biennial cycle, as follows:

(a) The first recosting is contained in the present report, which is submitted to the General Assembly for the purpose of updating the resource requirements in the proposed budget before an initial appropriation is approved;

(b) The second will be reflected in the revised estimates included in the first performance report on the budget, submitted by the Secretary-General at the end of the first year of the biennium, in connection with the approval of a revised appropriation;

(c) The third will be included in the second performance report, submitted at the end of the second year of the biennium, in connection with the approval of the final appropriation.

2. As indicated in the proposed budgets for the biennium 2008-2009 for the International Criminal Tribunal for Rwanda (A/62/468, para. 20) and the International Tribunal for the Former Yugoslavia (A/62/374, para. 29), the proposed budgets are recosted to take into account changes in operational rates of exchange, actual inflation experience, the outcome of salary surveys, the annual cost-of-living adjustments and the movement of post adjustment indices. Bearing in mind the view of the Advisory Committee on Administrative and Budgetary Questions that the Administration should use such operational rates of exchange in recosting exercises as would allow for the lowest estimates, the recosting in the present report is based on the data available as at December 2007.

3. A summary of the results of the recosting based on the parameters described in the present report is provided in the table below.

Summary of recosting of the proposed budgets for the biennium 2008-2009

(Thousands of United States dollars)

Proposed budget (gross) (1)	*Adjustments recommended by Advisory Committee (2)*	*Proposed budget plus Advisory Committee adjustments (3)=(1+2)*	*Recosting*			*Estimated appropriation (gross) (7)=(3+6)*
			Exchange rate (4)	*Inflation (5)*	*Total (6)=(4+5)*	
International Criminal Tribunal for Rwanda						
302 599.7	(28 500.0)	274 099.7	4 262.9	2 024.2	6 287.1	280 386.8
International Tribunal for the Former Yugoslavia						
356 314.3	(16 600.0)	339 714.3	26 821.3	(1 868.7)	24 952.6	364 666.9

4. The proposed revised factors to be applied for the first recosting in the biennial cycle compared with the assumptions applied in the preliminary recosting included

in the proposed budgets for the biennium 2008-2009 for the two Tribunals are set out in three schedules:

Schedule I. Rates of exchange relative to the United States dollar and annual rates of inflation by duty station for the Tribunals;

Schedule II. Post adjustment multipliers by duty station;

Schedule III. Annual cost-of-living adjustments by duty station (General Service).

5. The estimated increased requirements of $4.3 million for the International Criminal Tribunal for Rwanda and $26.8 million for the International Tribunal for the Former Yugoslavia in respect of exchange rate fluctuations reflect the significant weakening of the United States dollar against the Tanzanian shilling and the Rwandan franc in the case of the former and the euro in the case of the latter. In the present recosting, the average actual rates from January to December 2007 have been used as the basis for recosting for Arusha, The Hague and Kigali, given that the averaging method yields the lowest estimates.

6. With respect to inflation, consideration is given, as necessary, to a series of factors, including analysis of the movement of the consumer price index at the different duty stations for goods and services and probable increases in the salaries of General Service staff as a result of the movement of consumer price indices and the outcome of comprehensive salary surveys. In the case of the salaries of Professional staff, while base salaries are not affected by exchange rates, as they are denominated in United States dollars, the post adjustment component moves in response to changes in both the cost of living and exchange rates. Accordingly, the changes resulting from inflation comprise three elements, namely, post adjustment movements for Professional staff, salary adjustments for General Service staff and adjustments to non-post estimates. With regard to Professional staff costs, necessary adjustments are triggered by movements in post adjustment multipliers approved by the International Civil Service Commission. As for General Service salary and non-post requirements, changes are attributable to cost-of-living adjustments and movements in rates of inflation, respectively, relative to those originally estimated. It should be noted in this regard that realized levels of inflation in 2007 directly affect price and salary levels for the forthcoming biennium, so higher-than-anticipated 2007 increases add to the requirements for 2008-2009.

7. For the International Criminal Tribunal for Rwanda, the estimated additional requirements of $2,024,200 because of inflation reflect costs arising in respect of General Service salaries ($394,300), non-post objects of expenditure ($1,319,700) and staff assessment ($363,200), partially offset by reduced estimates for Professional salaries ($53,000). For the International Tribunal for the Former Yugoslavia, the estimated reduced requirements of $1,868,700 because of inflation relate to Professional salaries ($4,387,900), partially offset by increased requirements for General Service salaries ($955,000), staff assessment ($630,100) and non-post objects of expenditure ($934,100).

8. **In summary, after recosting, the resource requirements for the biennium 2008-2009 as proposed by the Secretary-General, and taking into consideration the recommendations of the Advisory Committee on Administrative and Budgetary Questions, would amount to $280,386,800 for the International Criminal Tribunal for Rwanda and $364,666,900 for the International Tribunal for the Former Yugoslavia.**

Schedules

Schedule 1

Rates of exchange relative to the United States dollar and annual rates of inflation by duty station for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

			Rates of inflation applicable to non-post objects of expenditure					
	Rates of exchange 2008-2009		*Proposed budget*		*Present report*			
Duty station (currency)	*Proposed budget*	*Present report*[a]	*2007*[b]	*2008-2009*[c]	*2006*[d]	*2007*[d]	*2008*[c]	*2009*[c]
The Hague (euro)	0.804	0.733	1.6	1.6	1.1	1.8	2.0	2.0
Kigali (Rwandan franc)	552.610	546.880	6.0	6.0	8.9	8.0	7.5	7.3
Arusha (Tanzanian shilling)	1 267.000	1 243.833	4.9	4.9	6.1	7.0	4.9	4.5
New York (United States dollar)	1.000	1.000	3.2	3.2	3.2	2.7	2.1	2.2

[a] Based on the 2007 average actual rate.
[b] Revised 2006-2007 appropriation.
[c] Projected.
[d] Final 2006-2007 estimates.

Schedule 2

Post adjustment multipliers by duty station

	Proposed budget			*Present report*			
Duty station	*2007*[a]	*2008*	*2009*	*2006*[b]	*2007*[b]	*2008*	*2009*
The Hague	44.2	52.1	54.0	47.8	55.3	55.8	57.6
Kigali	38.4	43.4	46.9	38.9	39.4	42.7	47.4
Arusha	37.2	41.1	43.9	38.5	40.1	41.2	43.4
New York	61.3	65.6	69.2	64.9	61.6	63.1	66.5

[a] Revised 2006-2007 appropriation.
[b] Final 2006-2007 estimates.

Schedule 3

Annual cost-of-living adjustments by duty station (General Service)

(Percentage)

	Proposed budget		*Present report*		
Duty station	*2007*[a]	*2008-2009*[b]	*2007*[c]	*2008*[b]	*2009*[b]
The Hague	1.6	1.6	2.3	2.0	2.0
Rwanda (Kigali)	6.0	6.0	3.4	7.5	7.3
Tanzania (Arusha)	4.9	4.9	1.8	4.9	4.5
New York	3.2	3.2	2.2	2.1	2.2

[a] Revised 2006-2007 appropriation.
[b] Projected.
[c] Actual.

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Agenda item 128
Proposed programme budget for the biennium 2008-2009

Revised estimates: effect of changes in rates of exchange and inflation

Report of the Secretary-General

Summary

In accordance with established practice, the proposed programme budget is recosted prior to its adoption by the General Assembly. A preliminary recosting is reflected in the budget proposals of the Secretary-General issued earlier in 2007.[a]

The present report provides the latest data on actual inflation experience, the outcome of salary surveys, the movement of post-adjustment indices in 2007 and the effect of the evolution of operational rates of exchange in 2007 on the proposed programme budget for the biennium 2008-2009.

After recosting, the resources under the expenditure sections would amount to $4,428.7 million and estimates of income would amount to $519.8 million if the recommendations of the Advisory Committee on Administrative and Budgetary Questions were applied to the proposals of the Secretary-General.

[a] A/62/6 (Introduction) and Corr.1, (Sects. 1-3), (Sect. 4), (Sect. 4) and Corr.1, (Sects. 5-7), (Sect. 8) and Corr.1, (Sects. 9-11), (Sect. 12) and Corr.1, (Sect. 13) and Add.1, (Sects. 14-18), (Sect. 19) and Corr.1, (Sects. 20-22), (Sect. 23) and Corr.1, (Sect. 24) and Corr.1, (Sects. 25-27), (Sect. 28), (Sect. 28A) and Corr.1, (Sect. 28B) and Corr.1, (Sect. 28C) and Corr.1, (Sect. 28D), (Sect. 28E) and Corr.1 and 2, (Sects. 28F and G), (Sect. 29) and Corr.1, (Sects. 20-35) and (Income sects. 1-3).

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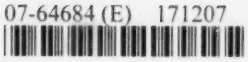

1. In accordance with established practice, the proposed programme budget is normally presented at the same price levels and rates of exchange as the current programme budget. At the same time, the proposed programme budget contains provisions for anticipated increases owing to inflation. These are isolated and are presented separately in the column entitled "recosting" in the budget tables. The programme budget is subsequently recosted three times in the biennial cycle, as follows:

(a) The first such recosting is contained in the present report, which is submitted to the General Assembly for the purpose of updating the resource requirements in the proposed programme budget before an initial appropriation is approved;

(b) The second recosting is reflected in the revised estimates included in the first performance report on the programme budget, submitted by the Secretary-General at the end of the first year of the biennium in connection with approval of a revised appropriation;

(c) The third recosting is included in the second performance report, submitted at the end of the second year of the biennium, in connection with approval of the final appropriation.

2. Within that framework, and as foreseen in the introduction to the budget for the biennium 2008-2009 (A/62/6 (Introduction), para. 10), the budget estimates are recosted to take into account changes in operational rates of exchange, actual inflation experience, the outcome of salary surveys and the movement of post-adjustment indices. Bearing in mind the view of the Advisory Committee on Administrative and Budgetary Questions that the Administration should use such operational rates of exchange in recosting exercises as would allow for the lowest estimates (A/51/7/Add.1-9, document A/51/7/Add.6, para 5), the present report provides updated information as at December 2007. The recosting in the present report is based on the initial budget proposals of the Secretary-General, amended in accordance with the recommendations of the Advisory Committee. Other elements, including revised cost estimates and statements of programme budget implications, may later be the subject of a separate recosting exercise using the same parameters as are applied in the present report.

3. The present recosting is based on the initial budget proposals of the Secretary-General, amended in accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions. Those recommendations, amounting to reductions totalling $12,338,400 for expenditure sections, are provided in the Advisory Committee's reports on the proposed programme budget for the biennium 2008-2009 (A/62/7 and A/62/7/Add.10).

4. While the General Assembly has yet to take action on the recommendations of the Advisory Committee, the recommendations have been taken into account to the extent that they can be specifically costed. This allows Member States to have a more comprehensive picture of the overall level of estimates when determining the appropriation for the biennium 2008-2009. Nevertheless, the inclusion of the effect of applying the recommendations of the Advisory Committee is provided without prejudice to decisions yet to be made on those recommendations.

5. Table 1 provides a summary of the results of the recosting based on parameters described below.

Table 1
Summary of recosting of the proposed programme budget for the biennium 2008-2009 (expenditure sections)
(Thousands of United States dollars)

			Recosting			
Proposed programme budget[a] *(1)*	*Adjustments recommended by the Advisory Committee*[b] *(2)*	*Proposed programme budget plus the Advisory Committee adjustments (3)=(1+2)*	*Exchange rate (4)*	*Inflation (5)*	*Total (6)=(4+5)*	*Estimated appropriation (7)=(3+6)*
4 397 362.3	(12 338.4)	4 385 023.9	83 314.8	(39 618.2)	43 696.6	4 428 720.5

[a] Includes United Nations share of budget proposals for the International Trade Centre UNCTAD/WTO (ITC) contained in A/62/6(Sect. 13/Add.1).
[b] Includes the impact of recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report on budget proposals for ITC (A/62/7/Add.10). See paragraph 4 above.

6. The proposed revised recosting factors to be applied for this first recosting in the biennial cycle, compared with the assumptions applied in the preliminary recosting included in the proposed programme budget for the biennium 2008-2009, are set out in the following schedules:

Schedule 1. Rates of exchange relative to the United States dollar and annual rates of inflation by duty station

Schedule 2. Post-adjustment multipliers by duty station

Schedule 3. Annual cost-of-living adjustments by duty station (General Service)

Schedule 4. Effects of recosting by budget section and main determining factor.

7. As a result of the application of the revised parameters, requirements for the biennium 2008-2009 reflect a net overall increase of $43.7 million, comprising an increase of $83.3 million for exchange rate fluctuations and a decrease of $39.6 million for inflation.

8. The estimated additional requirement of $83.3 million in respect of exchange rate fluctuations reflects the significant weakening of the United States dollar against a number of currencies. In the present recosting, the average actual rates of exchange from January to December 2007 have been used as the basis for recosting for all duty stations, with the exception of Addis Ababa, Beirut, Mexico City and Port of Spain, for which using the latest United Nations operational rates of exchange (those in effect as at December 2007) yields the lowest estimates. The net increased requirements of $83.3 million relate to exchange rate fluctuations in respect of the Swiss franc ($40.6 million), the euro ($17.7 million), the Thai baht ($10.7 million), the shekel ($9.2 million), the Kenyan shilling ($7.6 million) and other currencies ($2 million), partially offset by decreased requirements in respect of the Ethiopian birr ($4.4 million) and other currencies ($0.1 million).

9. With respect to inflation, consideration is given, as necessary, to a series of factors, including analysis of the movement of the consumer price index at the different duty stations for goods and services and probable increases in the salaries of General Service staff as a result of the movement of consumer price indices and

the outcome of comprehensive salary surveys. In the case of the salaries of Professional staff, while base salaries are not affected by exchange rates, as they are denominated in United States dollars, the post-adjustment component moves in response to changes in both cost of living and exchange rates. With regard to Professional staff costs, necessary adjustments are triggered by movements in post-adjustment multipliers approved by the International Civil Service Commission. As for General Service salary and non-post requirements, changes are attributable to cost-of-living adjustments and movements in rates of inflation, respectively, relative to those originally estimated. It should be noted in this regard that realized levels of inflation in 2007 directly affect price and salary levels for the forthcoming biennium, so lower-than-anticipated 2007 increases reflect decreased requirements for the biennium 2008-2009. Accordingly, the changes resulting from inflation comprise three elements, namely, post-adjustment movements for Professional staff, salary adjustments for General Service staff and adjustments to non-post estimates.

10. The estimated decrease in requirements of $39.6 million due to inflation reflect lower requirements in respect of Professional salaries ($14.0 million), General Service salaries ($15.9 million), staff assessment ($0.5 million) and non-post objects of expenditure ($9.2 million). Reduced requirements for non-post objects due to inflation are largely the result of a number of adjustments in rates, including downward revisions for New York ($13.5 million), Geneva ($1.6 million) and other duty stations ($2.3 million), partially offset by upward adjustments for Addis Ababa ($6.2 million) and other duty stations ($2 million).

11. Schedule 4 contains a detailed listing, by budget section and main determining factor, of the revised estimates for the biennium 2008-2009 resulting from the recosting of the resource requirements of the expenditure sections in the proposed programme budget, including the adjustments related to the recommendations of the Advisory Committee, using the parameters contained in the present report.

12. The foregoing budget parameters are also proposed to be applied to the income sections. The revised estimates for the income sections are summarized in table 2.

Table 2

Revised estimates for income sections 1 to 3 of the proposed programme budget for the biennium 2008-2009

(Thousands of United States dollars)

Income section	*Proposed programme budget (1)*	*Adjustments recommended by the Advisory Committee[a] (2)*	*Proposed programme budget plus the Advisory Committee adjustments (3)=(1+2)*	*Increase/ (decrease)*	*Revised estimates*
1. Income from staff assessment	466 273.5	(1 052.7)	465 220.8	5 397.3	470 618.1
2. General income	47 934.7	—	47 934.7	12.2	47 946.9
3. Services to the public	1 132.1	69.3	1 201.4	82.8	1 284.2
Total	**515 340.3**	**(983.4)**	**514 356.9**	**5 492.3**	**519 849.2**

[a] See paragraph 4 above.

Schedules

Schedule 1
Rates of exchange relative to the United States dollar and annual rates of inflation by duty station

	Rates of exchange, 2008-2009		*Rates of inflation applicable to non-post objects of expenditure*					
			Proposed programme budget			*Present report*		
Duty station/office (currency)	*Proposed programme budget*	*Present report*[a]	*2007*[b]	*2008-2009*[c]	*2006*[d]	*2007*[d]	*2008*[c]	*2009*[c]
Vienna (euro)	0.804	0.733	1.8	1.8	1.4	1.9	2.0	1.9
Santiago (Chilean peso)	525.750	520.750	3.0	3.0	3.4	3.9	4.3	3.1
Addis Ababa (Ethiopian birr)	8.700	9.040	8.0	8.0	13.5	15.9	14.0	10.4
United Nations Military Observer Group in India and Pakistan (rupee)	45.413	41.553	4.9	4.9	6.2	5.9	6.1	5.6
Beirut (Lebanese pound)	1 512.000	1 510.000	3.0	3.0	4.0	5.6	4.0	3.5
Gaza (shekel)[e]	4.472	4.110	2.0	2.0	2.1	0.4	2.1	2.3
Nairobi (Kenyan shilling)	72.743	66.888	8.0	8.0	14.5	9.3	7.4	6.5
Mexico City (Mexican peso)	10.904	10.980	3.8	3.8	3.6	3.9	3.8	3.4
The Hague (euro)	0.804	0.733	1.6	1.6	1.1	1.8	2.0	2.0
Bangkok (baht)	38.378	34.443	3.4	3.4	4.6	2.0	2.1	2.1
Port of Spain (Trinidad and Tobago dollar)	6.300	6.320	5.0	5.0	8.3	8.0	6.5	6.2
New York (United States dollar)	1.000	1.000	3.2	3.2	3.2	2.7	2.1	2.2
Geneva (Swiss franc)	1.262	1.200	1.4	1.4	1.1	0.6	1.3	1.7
United Nations information centres[f]	1.000	1.000	3.2	3.2	3.2	2.7	2.1	2.2

[a] Based on 2007 average actual rates. The December 2007 rate of exchange was used for Addis Ababa, Beirut, Mexico City and Port of Spain.
[b] Revised 2006-2007 appropriations.
[c] Projected.
[d] Final 2006-2007 estimates.
[e] Includes the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Truce Supervision Organization.
[f] Combined effect of inflation and exchange rate changes.

Schedule 2
Post-adjustment multipliers by duty station

	Programme budget			*Present report*[a]			
Duty station/office	*2007*[b]	*2008*	*2009*	*2006*[c]	*2007*[c]	*2008*	*2009*
Vienna	49.0	54.9	56.9	51.2	58.1	59.6	61.0
Santiago	38.3	40.8	43.1	40.3	40.0	43.2	45.9
Addis Ababa	44.2	48.6	52.3	44.5	42.6	42.8	48.0
United Nations Military Observer Group in India and Pakistan	30.1	35.4	39.0	30.7	33.5	36.4	40.2
Beirut	43.4	46.4	49.0	46.1	43.3	40.2	42. 9
Gaza[d]	31.9	37.0	38.6	36.0	36.8	38.4	40.1
Nairobi	29.0	37.4	43.0	32.7	34.1	38.0	42.7
Mexico	37.2	41.3	44.2	39.5	38.8	41.3	44.3
The Hague	44.2	52.1	54.0	47.8	55.3	55.8	57.6
Bangkok	28.9	36.2	38.7	31.3	35.2	38.8	40.7
Port of Spain	37.2	41.9	43.8	38.5	39.7	43.3	48.4
New York	61.3	65.6	69.2	64.9	61.6	63.1	66.5
Security field offices	31.7	35.9	40.3	36.6	33.0	40.9	44.0
Geneva	61.3	67.0	68.9	67.2	67.8	68.0	69.7
United Nations information centres	38.2	42.6	47.2	43.1	39.7	44.8	48.0

[a] Takes into account no-loss/no-gain consolidation between post-adjustment multipliers and base/floor salary scale and associated staff assessment scale for the Professional and higher categories in accordance with recommendations of the International Civil Service Commission (A/62/30).

[b] Revised 2006-2007 appropriations.

[c] Final 2006-2007 estimates.

[d] Includes the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Truce Supervision Organization.

Schedule 3

Annual cost-of-living adjustments by duty station (General Service)

(Percentage)

	Proposed programme budget		*Present report*		
Duty station/office	*2007*[a]	*2008-2009*[b]	*2007*[c]	*2008*[b]	*2009*[b]
Vienna	1.8	1.8	1.9	2.0	1.9
Santiago	3.0	3.0	4.1	4.3	3.1
Addis Ababa	8.0	8.0	4.6	14.0	10.4
United Nations Military Observer Group in India and Pakistan	4.9	4.9	4.7	6.1	5.6
Beirut	3.0	3.0	2.8	4.0	3.5
Gaza[d]	2.0	2.0	2.5	2.1	2.3
Nairobi	8.0	8.0	4.6	7.4	6.5
Mexico	3.8	3.8	3.9	3.8	3.4
The Hague	1.6	1.6	2.3	2.0	2.0
Bangkok	3.4	3.4	5.8	2.1	2.1
Port of Spain	5.0	5.0	14.2	6.5	6.2
New York	3.2	3.2	2.2	2.1	2.2
Security field offices	3.2	3.2	2.2	2.1	2.2
Geneva	1.4	1.4	—	1.3	1.7
United Nations information centres	3.2	3.2	2.2	2.1	2.2

[a] Revised 2006-2007 appropriations.

[b] Projected.

[c] Actual figures.

[d] Includes the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Truce Supervision Organization.

Schedule IV

Effects of recosting by budget section and main determining factor

(Thousands of United States dollars)

Budget section	*Proposed programme budget (1)*	*Adjustments recommended by the Advisory Committee (2)*	*Proposed programme budget plus the Advisory Committee adjustments (3)=(1+2)*	*Recosting*			*Estimated appropriation (7)=(3+6)*
				Exchange rate (4)	*Inflation (5)*	*Total (6)=(4+5)*	
1. Overall policymaking direction and coordination	77 434.1	—	77 434.1	509.6	(1 172.4)	(662.8)	76 771.3
2. General Assembly and Economic and Social Council affairs and conference management	620 822.4	(218.3)	620 604.1	15 241.6	(8 413.8)	6 827.8	627 431.9
3. Political affairs	697 000.6	—	697 000.6	1 541.3	(915.7)	625.6	697 626.2
4. Disarmament	21 708.1	—	21 708.1	150.3	(177.5)	(27.2)	21 680.9
5. Peacekeeping operations	101 535.1	—	101 535.1	5 315.9	(2 207.0)	3 108.9	104 644.0
6. Peaceful uses of outer space	6 581.2	—	6 581.2	573.1	(189.0)	384.1	6 965.3
7. International Court of Justice	40 220.2	(759.9)	39 460.3	2 795.3	(424.8)	2 370.5	41 830.8
8. Legal affairs	44 839.1	—	44 839.1	581.6	(447.4)	134.2	44 973.3
9. Economic and social affairs	162 353.9	—	162 353.9	—	(906.5)	(906.5)	161 447.4
10. Least developed countries, landlocked developing countries and small island developing States	5 569.6	—	5 569.6	—	(17.5)	(17.5)	5 552.1
11. United Nations support for the New Partnership for Africa's Development	11 852.9	—	11 852.9	(52.6)	(0.7)	(53.3)	11 799.6
12. Trade and development	122 405.3	—	122 405.3	5 908.6	(2 200.4)	3 708.2	126 113.5
13. International Trade Centre UNCTAD/WTO[a]	28 771.8	(132.0)	28 639.8	—	—	—	28 639.8
14. Environment	13 658.8	—	13 658.8	956.0	(571.6)	384.4	14 043.2
15. Human settlements	20 387.9	(29.1)	20 358.8	1 451.2	(901.1)	550.1	20 908.9
16. International drug control, crime and terrorism prevention and criminal justice	35 500.2	(47.1)	35 453.1	3 045.0	(981.6)	2 063.4	37 516.5
17. Economic and social development in Africa	119 475.0	25.7	119 500.7	(3 536.3)	6 042.0	2 505.7	122 006.4
18. Economic and social development in Asia and the Pacific	81 193.9	—	81 193.9	8 456.4	(4 258.1)	4 198.3	85 392.2
19. Economic development in Europe	59 606.3	—	59 606.3	2 903.3	(1 523.9)	1 379.4	60 985.7
20. Economic and social development in Latin America and the Caribbean	103 507.3	—	103 507.3	573.1	2 218.6	2 791.7	106 299.0

Budget section	Proposed programme budget (1)	Adjustments recommended by the Advisory Committee (2)	Proposed programme budget plus the Advisory Committee adjustments (3)=(1+2)	Recosting			Estimated appropriation (7)=(3+6)
				Exchange rate (4)	Inflation (5)	Total (6)=(4+5)	
21. Economic and social development in Western Asia	59 759.0	—	59 759.0	76.6	(672.6)	(596.0)	59 163.0
22. Regular programme of technical cooperation	50 250.5	—	50 250.5	592.6	1 025.0	1 617.6	51 868.1
23. Human rights	112 835.4	(598.5)	112 236.9	4 468.8	(2 440.3)	2 028.5	114 265.4
24. Protection of and assistance to refugees	71 511.3	—	71 511.3	3 591.7	(547.0)	3 044.7	74 556.0
25. Palestine refugees	39 428.6	—	39 428.6	3 196.5	(2 081.4)	1 115.1	40 543.7
26. Humanitarian assistance	28 908.6	—	28 908.6	439.2	(254.7)	184.5	29 093.1
27. Public information	189 901.1	—	189 901.1	600.2	(1 852.7)	(1 252.5)	188 648.6
28A. Office of the Under-Secretary-General for Management	13 830.0	1 225.3	15 055.3	—	(99.0)	(99.0)	14 956.3
28B. Office of Programme Planning, Budget and Accounts	40 519.5	(202.3)	40 317.2	—	(367.9)	(367.9)	39 949.3
28C. Office of Human Resources Management	76 629.3	(3 473.4)	73 155.9	—	(1 058.4)	(1 058.4)	72 097.5
28D. Office of Central Support Services	264 611.0	—	264 611.0	—	(5 485.6)	(5 485.6)	259 125.4
28E. Administration, Geneva	110 857.7	—	110 857.7	5 478.2	(1 761.6)	3 716.6	114 574.3
28F. Administration, Vienna	36 554.0	—	36 554.0	3 399.3	(99.1)	3 300.2	39 854.2
28G. Administration, Nairobi	27 065.8	—	27 065.8	2 079.5	(779.2)	1 300.3	28 366.1
29. Internal oversight	41 033.1	(5 523.1)	35 510.0	615.3	(465.5)	149.8	35 659.8
30. Jointly financed administrative activities	11 934.7	(16.6)	11 918.1	168.5	(160.3)	8.2	11 926.3
31. Special expenses	100 384.4	(170.8)	100 213.6	980.4	(2 174.1)	(1 193.7)	99 019.9
32. Construction, alteration, improvement and major maintenance	58 862.8	—	58 862.8	1 418.1	(304. 7)	1 113.4	59 976.2
33. Safety and security	209 765.9	(1 365.6)	208 400.3	3 890.0	(2 444.5)	1 445.5	209 845.8
34. Development Account	16 480.9	—	16 480.9	—	—	—	16 480.9
35. Staff assessment	461 815.0	(1 052.7)	460 762.3	5 906.5	(546.2)	5 360.3	466 122.6
Total	**4 397 362.3**	**(12 338.4)**	**4 385 023.9**	**83 314.8**	**(39 618.2)**	**43 696.6**	**4 428 720.5**

[a] The applicable recosting of section 13 is incorporated in the proposed programme budget for the International Trade Centre UNCTAD/WTO (A/62/6/Add.1).

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General Assembly
Sixty-second session
Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-second year

Identical letters dated 17 December 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write with regard to the alarming Palestinian terrorist attacks against Israel, which were carried out over the recent weekend.

Yesterday, Sunday, 16 December 2007, a Qassam rocket fired by Palestinian terrorists in the Gaza Strip scored a direct hit on a house in Kibbutz Zikim, an Israeli communal farm less than a mile from Gaza, and wounded a two-year-old boy. The boy and his mother, who needed treatment for trauma and shock, were rushed to a nearby hospital. Their home was also destroyed in the rocket attack.

On Friday evening, 14 December, Palestinian terrorists in the Gaza Strip fired a rocket that slammed into a kibbutz factory, destroying equipment. Another rocket hit the same kibbutz almost 24 hours later.

These rocket attacks, like the other daily barrage fire, were intentionally aimed at Israeli towns and civilian populations, in order to inflict death and damage and instil fear and intimidation. Moreover, this terrorist activity is in blatant violation of international law, and those responsible, directly and indirectly, must not be allowed to continue with impunity.

Israel views these terrorist attacks with grave severity, particularly as Israeli and Palestinian leaders met last week to commit to moving negotiations forward. The rocket attacks are a deliberate attempt by the enemies of peace, like Hamas, to derail the peace process. Since Hamas violently took control of the Gaza Strip in June 2007, 353 rockets and 554 mortars have been fired at Israeli cities, a sign of Hamas' intransigence and refusal to embrace the three conditions of the Quartet. The Palestinian Authority must end the violence and terrorism against Israel, as is required according to its obligations under the road map. All States in the region should refrain from supporting this terrorist activity.

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Israel retains the right to exercise itself in self-defence, as is the right of all sovereign nations, under article 51 of the Charter of the United Nations. Israel will continue to do all that is necessary to safeguard the lives of its citizens and ensure their right to live free from fear and terrorism.

I should be grateful if you would have the contents of the present letter circulated as a document of the sixty-second session of the General Assembly, under agenda items 17, and 18, and of the Security Council.

(*Signed*) Daniel **Carmon**
Ambassador
Chargé d'Affaires, a.i.

United Nations A/62/589

General Assembly

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Sixty-second session
Agenda item 127
Programme budget for the biennium 2006-2007

Second performance report on the programme budget for the biennium 2006-2007

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the Secretary-General's second performance report on the programme budget of the United Nations for the biennium 2006-2007 (A/62/575). During its consideration of the report, the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. **The Advisory Committee commends the Secretary-General for presenting a clear and concise report on the financial aspects of the performance. The Committee is concerned, however, with the timing of the issuance of the report, as its late issuance hinders the work of the General Assembly. The second performance report should be available to Member States in time for their consideration of the proposed programme budget for the next biennium. Accordingly, the Committee requests that, in future, efforts be made to issue both the first and second performance reports in the first week of December.**

3. The anticipated final level of expenditures and income for the biennium 2006-2007 is based on actual expenditures for the first 22 months of the biennium, projected requirements for the last two months, changes in inflation and exchange rates and cost-of-living adjustments as compared with the assumptions made in the first performance report (A/61/593).

4. The Advisory Committee notes that the anticipated final level of expenditures and income for the biennium represents a net decrease of $126.1 million compared with the revised appropriation and estimate of income approved by the General Assembly in its resolutions 61/253 A to C, 61/258 and 61/275. The projected expenditure for the biennium 2006-2007 is estimated at $4,188.8 million, a decrease of $113.2 million compared with the revised appropriation of $4,302 million. Projected income is estimated at $505.1 million, an increase of $12.9 million over

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the revised income estimates of $492.2 million. Details are provided in table 1 of the second performance report.

5. The net decrease of $126.1 million reflects the combined effects of: (a) projected additional requirements of $65.6 million due to changes in exchange rates ($42 million) and commitments entered into under the provisions of resolution 60/249 on unforeseen and extraordinary expenses and in respect of policymaking organs ($23.6 million); and (b) reduced requirements of $191.7 million due to changes in inflation ($8.6 million), variations in posts costs and adjustments to other objects of expenditure based on actual anticipated requirements ($170.2 million) and an increase in income ($12.9 million).

6. Explanations concerning the requirements relating to changes in exchange rates and inflation are provided in the performance report, as are details regarding the budgeted and realized rates of exchange and information on changes in exchange rates and inflation by duty station (A/62/575, paras. 5-12 and schedules 4 and 5).

7. The Advisory Committee notes that, in estimating the effect of exchange rate changes experienced in 2007, the exchange rates from January to November 2007 were used, with the November rate applied to December. The Committee also notes that, consistent with approved methodology, the average 2006 rates of exchange of the Swiss franc and the euro against the dollar were used in calculating the revised appropriation for 2007, which provided the lowest estimates. As indicated in paragraph 7 of the performance report, significant requirements arise as the budgeted rate assumed a stronger United States dollar position than that which was actually in place at the end of 2006. Additional requirements resulting from the changes with respect to the exchange rate of the Swiss franc and the euro against the dollar amount to $20.2 million and $10.4 million, respectively. A similar weakening of the exchange rate between the dollar and the Thai baht, the shekel and the Kenyan shilling result in additional requirements of $4.9 million, $4.1 million and $3.1 million, respectively.

8. Details concerning the total additional requirements of $2,881,200 relating to commitments entered into in accordance with the provisions of General Assembly resolution 60/249 on unforeseen and extraordinary expenses are provided in paragraphs 13 to 17 of the performance report. They include:

(a) Commitments certified by the Secretary-General as relating to the maintenance of peace and security ($2,333,500);

(b) Commitments certified by the President of the International Court of Justice as relating to unforeseen expenses relating to the Court ($547,700).

9. An amount of $20,759,900, reflecting decisions of policymaking organs, is included in the performance report in connection with strengthening the capacity of the United Nations to manage and sustain peacekeeping operations (reduction of $213,000); strengthened and unified security management system (increase of $18,045,400); and renovation of the residence of the Secretary-General (increase of $2,927,500) (see A/62/575, paras. 18-38). The report also provides information on the results of the experiment for the redeployment of up to 50 posts authorized by the General Assembly in its resolutions 58/270 and 60/246 and on utilization by the Secretary-General of the limited discretion for budgetary implementation of up to $20 million authorized under resolution 60/283. In connection with the latter, a total of $8,783,400 has been utilized to address avian flu pandemic preparedness

($5,283,400) and fire safety deficiencies ($3,500,000). These requirements have been funded through the utilization of savings identified under section 27, Public information, and 33, Safety and security, of the programme budget.

10. Upon request, the Advisory Committee was provided with information concerning revised estimates and programme budget implications, amounting to some $11.6 million, which would be met from within the approved resources available under the programme budget for the biennium 2006-2007 to the extent possible and reported in the context of performance reports for the biennium 2006-2007. Information relating to pending statements of programme budget implications and revised estimates should be submitted to the Fifth Committee. In a related matter, the Committee notes an increasing trend towards requests for relatively small additional appropriations as a charge against the contingency fund when, based on past trends, it can be expected that the budget section in question will show a significant underexpenditure. Efforts should be made to absorb such additional requirements.

11. A decrease of $170,265,800 is projected relating to post incumbency and other changes reflecting: (a) the difference between realized vacancy rates and those assumed in the revised appropriations; (b) differences between actual average salary and common staff costs compared with the standards included in the revised appropriations; and (c) adjustments to objects of expenditure other than posts based on actual and anticipated requirements to the end of the biennium. Details are provided in paragraphs 39 to 60 of the performance report.

12. The Advisory Committee notes from paragraph 41 and schedule 8 of the performance report, that the average realized vacancy rates have exceeded the rates of 4.9 per cent for Professional staff and 1.5 per cent for General Service staff that were budgeted for the biennium 2006-2007. The Committee recalls that, during its consideration of the proposed programme budget for the biennium 2008-2009, it was informed that, in most cases, action was under way to fill vacancies (see A/62/7, para. 36). The following table, which is based on information provided to the Committee upon request, shows authorized regular budget posts that remained vacant as of 31 May and 30 November 2007.

	Vacant posts as of 31 May 2007[a]		*Vacant posts as of 30 November 2007[a]*	
Section	*Number*	*Level*	*Number*	*Level*
1	10	2 D-2, 1 D-1, 2 P-5, 2 P-2, 3 GS (OL)	12	3 P-5, 1 P-4, 1 P-3, 2 P-2, 5 GS (OL)
2	75	1 D-1, 2 P-5, 14 P-4, 24 P-3, 7 P-2, 2 GS (PL), 23 (GS (OL), 2 TC	113	6 P-5, 31 P-4, 35 P-3, 7 P-2, 2 GS (PL), 30 GS (OL), 2 TC
3	36	2 D-2, 3 D-1, 4 P-5, 7 P-4, 5 P-3, 4 P-2, 1 GS (PL), 10 GS (OL)	35	1 USG, 1 D-2, 3 D-1, 7 P-5, 6 P-4, 5 P-3, 1 P-2, 8 GS (OL), 1 SS, 1 GS (LL), 1 FS
4	4	1 USG, 1 P-5, 1 P-3, 1 GS (OL)	2	2 P-4
5	22	2 P-3, 20 FS	28	1 USG, 1 ASG, 1 D-2, 1 P-5, 2 P-3, 3 GS (OL), 4 GS (LL), 15 FS
6	—	—	1	1 D-2
7	5	1 P-5, 1 P-3, 1 P-2, 2 GS (OL)	1	1 P-4
8	2	1 P-4, 1 P-3	4	2 P-2, 1 GS (PL), 1 GS (OL)

	Vacant posts as of 31 May 2007[a]		Vacant posts as of 30 November 2007[a]	
Section	*Number*	*Level*	*Number*	*Level*
9	26	5 P-5, 3 P-4, 5 P-3, 2 P-2, 1 GS (PL), 10 GS (OL)	30	1 ASG, 1 D-2, 1 D-1, 2 P-5, 5 P-4, 2 P-3, 9 P-2, 9 GS (OL)
10	2	1 P-4, 1 P-3	2	1 D-1, 1 P-4
11	5	1 USG, 1 D-1, 1 P-4, 2 GS (OL)	7	1 USG, 1 D-1, 1 P-4, 1 P-3, 3 GS (OL)
12	10	1 ASG, 3 P-5, 1 P-3, 2 P-2, 1 GS (PL), 2 GS (OL)	12	1 ASG, 1 D-1, 2 P-5, 1 P-3, 2 P-2, 1 GS (PL), 4 GS (OL)
14	1	1 P-3	—	—
15	5	1 P-5, 1 P-4, 2 P-3, 1 P-2	2	1 P-3, 1 P-2
16	—	—	—	—
17	29	2 D-1, 7 P-5, 11 P-4, 7 P-3, 2 P-2	33	2 D-1, 6 P-5, 11 P-4, 11 P-3, 3 P-2
18	8	1 P-5, 1 P-4, 1 P-3, 1 P-2, 4 GS (LL)	16	1 P-5, 2 P-4, 4 P-2, 9 GS (LL)
19	4	1 P-3, 2 P-2, 1 GS (OL)	6	1 P-3, 2 P-2, 3 GS (OL)
20	13	1 P-4, 3 P-3, 1 P-2, 8 GS (LL)	7	1 P-5, 2 P-4, 2 P-3, 2 GS (LL)
21	15	1 D-1, 5 P-5, 3 P-4, 2 P-3, 3 GS (LL), 1 FS	18	1 D-1, 3 P-5, 3 P-4, 2 P-3, 2 P-2, 7 GS (LL)
23	36	10 P-5, 10 P-4, 10 P-3, 6 GS (OL)	39	1 D-1, 4 P-5, 14 P-4, 10 P-3, 5 P-2, 5 GS (OL)
24	1	1 ASG	—	—
25	5	1 D-1, 2 P-5, 1 P-4, 1 P-3	7	1 D-2, 1 D-1, 2 P-5, 3 P-4
26	5	1 P-4, 2 P-3, 2 P-2	—	—
27	34	2 P-5, 2 P-4, 2 P-3, 3 P-2, 1 GS (PL), 7 GS (OL), 16 GS (LL), 1 NO	24	3 P-5, 5 P-4, 1 P-3, 1 GS (PL), 8 GS (OL), 6 GS (LL)
28	60	1 D-2, 7 P-5, 2 P-4, 11 P-3, 4 P-2, 3 GS (PL), 24 GS (OL), 8 TC	57	1 D-2, 7 P-5, 8 P-4, 14 P-3, 5 P-2, 4 GS (PL), 18 GS (OL)
29	10	2 P-4, 3 P-3, 3 P-2, 1 GS (PL), 1 GS (OL)	20	2 D-1, 1 P-5, 6 P-4, 4 P-3, 4 P-2, 1 GS (PL), 2 GS (OL)
33	54	1 P-4, 2 P-3, 1 GS (PL), 12 GS (OL), 26 SS, 12 GS (LL)	32	1 P-4, 1 GS (PL), 7 GS (OL), 4 SS, 19 GS (LL)
Subtotal	**477**	**2 USG, 2 ASG, 5 D-2, 10 D-1, 53 P-5, 63 P-4, 89 P-3, 37 P-2, 11 GS (PL), 104 GS (OL), 10 TC, 26 SS, 43 GS (LL), 21 FS, 1 NO**	**508**	**3 USG, 3 ASG, 6 D-2, 14 D-1, 49 P-5, 103 P-4, 93 P-3, 49 P-2, 11 GS (PL), 106 GS (OL), 2 TC, 5 SS, 48 GS (LL), 16 FS**
Income section 3	11	1 P-5, 2 P-4, 3 GS (PL), 5 GS (OL)	12	2 P-4, 1 GS (PL), 9 GS (OL)
Total	**488**	**2 USG, 2 ASG, 5 D-2, 10 D-1, 54 P-5, 65 P-4, 89 P-3, 37 P-2, 14 GS (PL), 109 GS (OL), 10 TC, 26 SS, 43 GS (LL), 21 FS, 1 NO**	**520**	**3 USG, 3 ASG, 6 D-2, 14 D-1, 49 P-5, 105 P-4, 93 P-3, 49 P-2, 12 GS (PL), 115 GS (OL), 2 TC, 5 SS, 48 GS (LL), 16 FS**

[a] The following abbreviations relating to posts have been used in the table: USG, Under-Secretary-General; ASG, Assistant Secretary-General; GS, General Service; PL, Principal level; OL, Other level; LL, Local level; NO, National Officer; FS, Field Service; SS, Security Service; TC, Trades and Crafts.

13. The average rates realized for staff in the Professional category and above for 2006 and 2007 were 7 and 7.1 per cent, respectively, while the corresponding rates for General Service staff were 3.6 and 3.7 per cent. **Notwithstanding the explanations provided in paragraphs 39 to 44 of the performance report, the Advisory Committee stresses that large discrepancies between the budgeted and realized vacancy rates indicate a need for careful monitoring of budgetary assumptions. Efforts should be made in this regard and reported in the context of the second performance report for the biennium 2008-2009.**

14. The Advisory Committee notes that requirements for travel of staff reflect a net increase of $8.5 million across budget sections. Detailed explanations are provided in paragraph 50 of the performance report. As shown in schedule 3 of the performance report, a number of sections have exceeded the level of appropriation for travel of staff by more than 25 per cent, as follows:

Budget section	*Revised 2006-2007 appropriation*	*Projected 2006-2007 final appropriation*	*Overrun*
	(Thousands of United States dollars)		*(Percentage)*
1. Overall policymaking, direction and coordination	3 662	5 207.9	42.2
2. General Assembly and Economic and Social Council affairs and conference management	338.4	511.1	51
4. Disarmament	347.8	542.7	56
10. Least developed countries, landlocked developing countries and small island developing countries	175.7	296.5	68.8
21. Economic and social development in Western Asia	547.1	691.4	26.4
28A. Office of the Under-Secretary-General for Management	97.8	344.4	252.1
28B. Office of Programme Planning, Budget and Accounts	157.0	209.8	33.6
28C. Office of Human Resources Management	509.2	1 190.8	133.9
28E. Administration, Geneva	91.5	235.6	157.5
28F. Administration, Vienna	35.1	78.3	123.1
33. Safety and security	1 406.1	2 264.3	61

15. **The Advisory Committee, while it does not deny the importance that networking and face-to-face consultations have in a global organization such as the United Nations, reiterates that it is of the view that travel of senior managers and others could be reduced considerably through greater recourse to videoconferencing and other electronic means of communication wherever possible (A/60/7, para. 90). That said, the Committee recognizes that there are factors that may lead to an unexpected need for additional travel funds. An analysis should be undertaken of the underlying causes of overexpenditure under travel of staff in cases where it occurs in consecutive bienniums.**

16. Upon enquiry concerning the malicious acts insurance policy, which is mentioned in paragraph 60 of the performance report, the Advisory Committee was informed that the current policy was a fixed three-year policy, effective 1 January

2007. The programme, which had previously excluded coverage for 10 United Nations headquarters duty stations, was expanded in 2006 to provide worldwide coverage for all participating organizations. In addition, the programme was restructured, including the introduction of a $1.5 million annual deductible. The net effect of these changes was a premium savings for the biennium 2006-2007.

17. The Advisory Committee notes that as at the end of October 2007 unliquidated obligations amounted to $175.1 million (A/62/575, para. 61). The Committee understands that this figure will change between now and the closing of the accounts. **Nevertheless, the Committee requests that in future comparative data on the actual level of unliquidated obligations at the closing of accounts be provided for the two previous bienniums.**

18. The Advisory Committee enquired concerning the inclusion of costs in the performance report relating to the implementation of the enterprise resource planning system. It was informed that the main costs incurred for preparatory work for the implementation of the system related to requirements under section 28A, Office of the Under-Secretary-General, as follows:

Object of expenditure	*Amount (in United States dollars)*
General temporary assistance	662 800
Consultants	95 900
Travel of staff	1 159 000
Total	**1 917 700**

19. In addition, the Chief Information Technology Officer, budgeted under section 1, Overall policymaking, direction and coordination, is overseeing the implementation of the enterprise resource planning system. Other departments and offices have participated in this preparatory phase, largely through part use of available staffing resources.

20. **The Advisory Committee recommends that the General Assembly take note of the second performance report on the programme budget for the biennium 2006-2008.**

United Nations A/62/589*

General Assembly

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Sixty-second session
Agenda item 127
Programme budget for the biennium 2006-2007

Second performance report on the programme budget for the biennium 2006-2007

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the Secretary-General's second performance report on the programme budget of the United Nations for the biennium 2006-2007 (A/62/575). During its consideration of the report, the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. **The Advisory Committee commends the Secretary-General for presenting a clear and concise report on the financial aspects of the performance. The Committee is concerned, however, with the timing of the issuance of the report, as its late issuance hinders the work of the General Assembly. The second performance report should be available to Member States in time for their consideration of the proposed programme budget for the next biennium. Accordingly, the Committee requests that, in future, efforts be made to issue both the first and second performance reports in the first week of December.**

3. The anticipated final level of expenditures and income for the biennium 2006-2007 is based on actual expenditures for the first 22 months of the biennium, projected requirements for the last two months, changes in inflation and exchange rates and cost-of-living adjustments as compared with the assumptions made in the first performance report (A/61/593).

4. The Advisory Committee notes that the anticipated final level of expenditures and income for the biennium represents a net decrease of $126.1 million compared with the revised appropriation and estimate of income approved by the General Assembly in its resolutions 61/253 A to C, 61/258 and 61/275. The projected expenditure for the biennium 2006-2007 is estimated at $4,188.8 million, a decrease of $113.2 million compared with the revised appropriation of $4,302 million. Projected income is estimated at $505.1 million, an increase of $12.9 million over

* Reissued for technical reasons.

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the revised income estimates of $492.2 million. Details are provided in table 1 of the second performance report.

5. The net decrease of $126.1 million reflects the combined effects of: (a) projected additional requirements of $65.6 million due to changes in exchange rates ($42 million) and commitments entered into under the provisions of resolution 60/249 on unforeseen and extraordinary expenses and in respect of policymaking organs ($23.6 million); and (b) reduced requirements of $191.7 million due to changes in inflation ($8.6 million), variations in posts costs and adjustments to other objects of expenditure based on actual anticipated requirements ($170.2 million) and an increase in income ($12.9 million).

6. Explanations concerning the requirements relating to changes in exchange rates and inflation are provided in the performance report, as are details regarding the budgeted and realized rates of exchange and information on changes in exchange rates and inflation by duty station (A/62/575, paras. 5-12 and schedules 4 and 5).

7. The Advisory Committee notes that, in estimating the effect of exchange rate changes experienced in 2007, the exchange rates from January to November 2007 were used, with the November rate applied to December. The Committee also notes that, consistent with approved methodology, the average 2006 rates of exchange of the Swiss franc and the euro against the dollar were used in calculating the revised appropriation for 2007, which provided the lowest estimates. As indicated in paragraph 7 of the performance report, significant requirements arise as the budgeted rate assumed a stronger United States dollar position than that which was actually in place at the end of 2006. Additional requirements resulting from the changes with respect to the exchange rate of the Swiss franc and the euro against the dollar amount to $20.2 million and $10.4 million, respectively. A similar weakening of the exchange rate between the dollar and the Thai baht, the shekel and the Kenyan shilling result in additional requirements of $4.9 million, $4.1 million and $3.1 million, respectively.

8. Details concerning the total additional requirements of $2,881,200 relating to commitments entered into in accordance with the provisions of General Assembly resolution 60/249 on unforeseen and extraordinary expenses are provided in paragraphs 13 to 17 of the performance report. They include:

(a) Commitments certified by the Secretary-General as relating to the maintenance of peace and security ($2,333,500);

(b) Commitments certified by the President of the International Court of Justice as relating to unforeseen expenses relating to the Court ($547,700).

9. An amount of $20,759,900, reflecting decisions of policymaking organs, is included in the performance report in connection with strengthening the capacity of the United Nations to manage and sustain peacekeeping operations (reduction of $213,000); strengthened and unified security management system (increase of $18,045,400); and renovation of the residence of the Secretary-General (increase of $2,927,500) (see A/62/575, paras. 18-38). The report also provides information on the results of the experiment for the redeployment of up to 50 posts authorized by the General Assembly in its resolutions 58/270 and 60/246 and on utilization by the Secretary-General of the limited discretion for budgetary implementation of up to $20 million authorized under resolution 60/283. In connection with the latter, a total of $8,783,400 has been utilized to address avian flu pandemic preparedness

($5,283,400) and fire safety deficiencies ($3,500,000). These requirements have been funded through the utilization of savings identified under section 27, Public information, and 33, Safety and security, of the programme budget.

10. Upon request, the Advisory Committee was provided with information concerning revised estimates and programme budget implications, amounting to some $11.6 million, which would be met from within the approved resources available under the programme budget for the biennium 2006-2007 to the extent possible and reported in the context of performance reports for the biennium 2006-2007. Information relating to pending statements of programme budget implications and revised estimates should be submitted to the Fifth Committee. In a related matter, the Committee notes an increasing trend towards requests for relatively small additional appropriations as a charge against the contingency fund when, based on past trends, it can be expected that the budget section in question will show a significant underexpenditure. Efforts should be made to absorb such additional requirements.

11. A decrease of $170,265,800 is projected relating to post incumbency and other changes reflecting: (a) the difference between realized vacancy rates and those assumed in the revised appropriations; (b) differences between actual average salary and common staff costs compared with the standards included in the revised appropriations; and (c) adjustments to objects of expenditure other than posts based on actual and anticipated requirements to the end of the biennium. Details are provided in paragraphs 39 to 60 of the performance report.

12. The Advisory Committee notes from paragraph 41 and schedule 8 of the performance report, that the average realized vacancy rates have exceeded the rates of 4.9 per cent for Professional staff and 1.5 per cent for General Service staff that were budgeted for the biennium 2006-2007. The Committee recalls that, during its consideration of the proposed programme budget for the biennium 2008-2009, it was informed that, in most cases, action was under way to fill vacancies (see A/62/7, para. 36). The following table, which is based on information provided to the Committee upon request, shows authorized regular budget posts that remained vacant as of 31 May and 30 November 2007.

	Vacant posts as of 31 May 2007[a]		*Vacant posts as of 30 November 2007*[a]	
Section	*Number*	*Level*	*Number*	*Level*
1	10	2 D-2, 1 D-1, 2 P-5, 2 P-2, 3 GS (OL)	12	3 P-5, 1 P-4, 1 P-3, 2 P-2, 5 GS (OL)
2	161	1 D-1, 10 P-5, 34 P-4, 53 P-3, 3 P-2/1, 5 GS (PL), 53 GS (OL), 2 TC	113	6 P-5, 31 P-4, 35 P-3, 7 P-2, 2 GS (PL), 30 GS (OL), 2 TC
3	36	2 D-2, 3 D-1, 4 P-5, 7 P-4, 5 P-3, 4 P-2, 1 GS (PL), 10 GS (OL)	35	1 USG, 1 D-2, 3 D-1, 7 P-5, 6 P-4, 5 P-3, 1 P-2, 8 GS (OL), 1 SS, 1 GS (LL), 1 FS
4	4	1 USG, 1 P-5, 1 P-3, 1 GS (OL)	2	2 P-4
5	22	2 P-3, 20 FS	28	1 USG, 1 ASG, 1 D-2, 1 P-5, 2 P-3, 3 GS (OL), 4 GS (LL), 15 FS
6	—	—	1	1 D-2
7	5	1 P-5, 1 P-3, 1 P-2, 2 GS (OL)	1	1 P-4
8	2	1 P-4, 1 P-3	4	2 P-2, 1 GS (PL), 1 GS (OL)

	Vacant posts as of 31 May 2007[a]		*Vacant posts as of 30 November 2007*[a]	
Section	*Number*	*Level*	*Number*	*Level*
9	26	5 P-5, 3 P-4, 5 P-3, 2 P-2, 1 GS (PL), 10 GS (OL)	30	1 ASG, 1 D-2, 1 D-1, 2 P-5, 5 P-4, 2 P-3, 9 P-2, 9 GS (OL)
10	2	1 P-4, 1 P-3	2	1 D-1, 1 P-4
11	5	1 USG, 1 D-1, 1 P-4, 2 GS (OL)	7	1 USG, 1 D-1, 1 P-4, 1 P-3, 3 GS (OL)
12	10	1 ASG, 3 P-5, 1 P-3, 2 P-2, 1 GS (PL), 2 GS (OL)	12	1 ASG, 1 D-1, 2 P-5, 1 P-3, 2 P-2, 1 GS (PL), 4 GS (OL)
14	1	1 P-3	—	—
15	5	1 P-5, 1 P-4, 2 P-3, 1 P-2	2	1 P-3, 1 P-2
16	—	—	—	—
17	29	2 D-1, 7 P-5, 11 P-4, 7 P-3, 2 P-2	33	2 D-1, 6 P-5, 11 P-4, 11 P-3, 3 P-2
18	8	1 P-5, 1 P-4, 1 P-3, 1 P-2, 4 GS (LL)	16	1 P-5, 2 P-4, 4 P-2, 9 GS (LL)
19	4	1 P-3, 2 P-2, 1 GS (OL)	6	1 P-3, 2 P-2, 3 GS (OL)
20	13	1 P-4, 3 P-3, 1 P-2, 8 GS (LL)	7	1 P-5, 2 P-4, 2 P-3, 2 GS (LL)
21	15	1 D-1, 5 P-5, 3 P-4, 2 P-3, 3 GS (LL), 1 FS	18	1 D-1, 3 P-5, 3 P-4, 2 P-3, 2 P-2, 7 GS (LL)
23	36	10 P-5, 10 P-4, 10 P-3, 6 GS (OL)	39	1 D-1, 4 P-5, 14 P-4, 10 P-3, 5 P-2, 5 GS (OL)
24	1	1 ASG	—	—
25	5	1 D-1, 2 P-5, 1 P-4, 1 P-3	7	1 D-2, 1 D-1, 2 P-5, 3 P-4
26	5	1 P-4, 2 P-3, 2 P-2	—	—
27	34	2 P-5, 2 P-4, 2 P-3, 3 P-2, 1 GS (PL), 7 GS (OL), 16 GS (LL), 1 NO	24	3 P-5, 5 P-4, 1 P-3, 1 GS (PL), 8 GS (OL), 6 GS (LL)
28	60	1 D-2, 7 P-5, 2 P-4, 11 P-3, 4 P-2, 3 GS (PL), 24 GS (OL), 8 TC	57	1 D-2, 7 P-5, 8 P-4, 14 P-3, 5 P-2, 4 GS (PL), 18 GS (OL)
29	10	2 P-4, 3 P-3, 3 P-2, 1 GS (PL), 1 GS (OL)	20	2 D-1, 1 P-5, 6 P-4, 4 P-3, 4 P-2, 1 GS (PL), 2 GS (OL)
33	54	1 P-4, 2 P-3, 1 GS (PL), 12 GS (OL), 26 SS, 12 GS (LL)	32	1 P-4, 1 GS (PL), 7 GS (OL), 4 SS, 19 GS (LL)
Subtotal	**563**	**2 USG, 2 ASG, 5 D-2, 10 D-1, 61 P-5, 83 P-4, 118 P-3, 33 P-2, 14 GS (PL), 134 GS (OL), 10 TC, 26 SS, 43 GS (LL), 21 FS, 1 NO**	**508**	**3 USG, 3 ASG, 6 D-2, 14 D-1, 49 P-5, 103 P-4, 93 P-3, 49 P-2, 11 GS (PL), 106 GS (OL), 2 TC, 5 SS, 48 GS (LL), 16 FS**
Income section 3	11	1 P-5, 2 P-4, 3 GS (PL), 5 GS (OL)	12	2 P-4, 1 GS (PL), 9 GS (OL)
Total	**574**	**2 USG, 2 ASG, 5 D-2, 10 D-1, 62 P-5, 85 P-4, 118 P-3, 33 P-2, 17 GS (PL), 139 GS (OL), 10 TC, 26 SS, 43 GS (LL), 21 FS, 1 NO**	**520**	**3 USG, 3 ASG, 6 D-2, 14 D-1, 49 P-5, 105 P-4, 93 P-3, 49 P-2, 12 GS (PL), 115 GS (OL), 2 TC, 5 SS, 48 GS (LL), 16 FS**

[a] The following abbreviations relating to posts have been used in the table: USG, Under-Secretary-General; ASG, Assistant Secretary-General; GS, General Service; PL, Principal level; OL, Other level; LL, Local level; NO, National Officer; FS, Field Service; SS, Security Service; TC, Trades and Crafts.

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Budget section	*Revised 2006-2007 appropriation*	*Proposed 2006-2007 final appropriation*	*Overrun (Percentage)*
	(Thousands of United States dollars)		
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2. General Assembly and Economic and Social Council affairs and conference management	338.4	511.1	51
4. Disarmament	347.8	542.7	56
10. Least developed countries, landlocked developing countries and small island developing countries	175.7	296.5	68.8
21. Economic and social development in Western Asia	547.1	691.4	26.4
28A. Office of the Under-Secretary-General for Management	97.8	344.4	252.1
28B. Office of Programme Planning, Budget and Accounts	157.0	209.8	33.6
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28E. Administration, Geneva	91.5	235.6	157.5
28F. Administration, Vienna	35.1	78.3	123.1
33. Safety and security	1 406.1	2 264.3	61

15. **The Advisory Committee, while it does not deny the importance that networking and face-to-face consultations have in a global organization such as the United Nations, reiterates that it is of the view that travel of senior managers and others could be reduced considerably through greater recourse to videoconferencing and other electronic means of communication wherever possible (A/60/7, para. 90). That said, the Committee recognizes that there are factors that may lead to an unexpected need for additional travel funds. An analysis should be undertaken of the underlying causes of overexpenditure under travel of staff in cases where it occurs in consecutive bienniums.**

16. Upon enquiry concerning the malicious acts insurance policy, which is mentioned in paragraph 60 of the performance report, the Advisory Committee was informed that the current policy was a fixed three-year policy, effective 1 January

2007. The programme, which had previously excluded coverage for 10 United Nations headquarters duty stations, was expanded in 2006 to provide worldwide coverage for all participating organizations. In addition, the programme was restructured, including the introduction of a $1.5 million annual deductible. The net effect of these changes was a premium savings for the biennium 2006-2007.

17. The Advisory Committee notes that as at the end of October 2007 unliquidated obligations amounted to $175.1 million (A/62/575, para. 61). The Committee understands that this figure will change between now and the closing of the accounts. **Nevertheless, the Committee requests that in future comparative data on the actual level of unliquidated obligations at the closing of accounts be provided for the two previous bienniums.**

18. The Advisory Committee enquired concerning the inclusion of costs in the performance report relating to the implementation of the enterprise resource planning system. It was informed that the main costs incurred for preparatory work for the implementation of the system related to requirements under section 28A, Office of the Under-Secretary-General, as follows:

Object of expenditure	*Amount (in United States dollars)*
General temporary assistance	662 800
Consultants	95 900
Travel of staff	1 159 000
Total	**1 917 700**

19. In addition, the Chief Information Technology Officer, budgeted under section 1, Overall policymaking, direction and coordination, is overseeing the implementation of the enterprise resource planning system. Other departments and offices have participated in this preparatory phase, largely through part use of available staffing resources.

20. **The Advisory Committee recommends that the General Assembly take note of the second performance report on the programme budget for the biennium 2006-2007.**

United Nations A/62/590–S/2007/745

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Security Council

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General Assembly
Sixty-second session
Agenda item 22
Question of Cyprus

Security Council
Sixty-second year

Letter dated 17 December 2007 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 5 October 2007 (A/62/472-S/2007/595), I have the honour to draw your attention to new violations of the international air traffic regulations and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded from 1 October to 29 November 2007, as follows:

On 1 October 2007, one (1) Turkish military aircraft of unknown type violated the international air traffic regulations and the national airspace of the Republic of Cyprus.

On 2 October 2007, one (1) CN-235 and one (1) Cougar Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus once.

On 3 October 2007, two (2) F-16, one (1) Cougar one (1) CN-235 and two (2) C-130 Turkish military aircraft violated the international air traffic regulations five times and the national airspace of the Republic of Cyprus three times.

On 4 October 2007, two (2) G-5, four (4) Cougar and one (1) Turkish military aircraft of unknown type violated the international air traffic regulations seven times and the national airspace of the Republic of Cyprus six times.

On 8 October 2007, two (2) Cougar Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 9 October 2007, two (2) F-16 and one (1) Cougar Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus once.

On 10 October 2007, two (2) Cougar Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

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On 14 October 2007, two (2) CN-235 Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 23 October 2007, two (2) C-160 and one (1) Cougar Turkish military aircraft violated the international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 24 October 2007, two (2) B-200 and four (4) Cougar Turkish military aircraft violated the international air traffic regulations five times and the national airspace of the Republic of Cyprus five times.

On 25 October 2007, four (4) Cougar Turkish military aircraft violated the international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 6 November 2007, two (2) F-16, five (5) Cougar, one (1) CN-235 and two (2) Black Hawk Turkish military aircraft violated the international air traffic regulations six times and the national airspace of the Republic of Cyprus four times.

On 14 November 2007, three (3) C-130, two (2) GLF-5, two (2) B-200, fifteen (15) NF-5 and two (2) A-109 Turkish military aircraft violated the international air traffic regulations thirteen times and the national airspace of the Republic of Cyprus thirteen times.

On 15 November 2007, two (2) A-109, sixteen (16) NF-5, four (4) CN-235, two (2) Cougar, one (1) Bell, two (2) F-16 and one (1) C-160 Turkish military aircraft violated the international air traffic regulations twelve times and the national airspace of the Republic of Cyprus eight times.

On 16 November 2007, four (4) F-16, two (2) C-160, one (1) A-109, two (2) CN-235, two (2) Cougar, three (3) C-130 and ten (10) NF-5 Turkish military aircraft violated the international air traffic regulations thirteen times and the national airspace of the Republic of Cyprus eleven times.

On 17 November 2007, two (2) CN-235 Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 18 November 2007, two (2) Cougar Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 24 November 2007, two (2) Cougar Turkish military aircraft violated the international air traffic regulations and the national airspace of the Republic of Cyprus.

On 26 November 2007, two (2) Cougar Turkish military aircraft violated the international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 28 November 2007, three (3) Cougar, two (2) B-200, two (2) C-160, four (4) F-16 and two (2) CN-235 Turkish military aircraft violated the international air traffic regulations nine times and the national airspace of the Republic of Cyprus six times.

On 29 November 2007, one (1) Cougar Turkish military aircraft violated the international air traffic regulations and the national airspace of the Republic of Cyprus.

On behalf of my Government, I strongly protest the aforementioned violations and call for their immediate cessation. Turkey's policy of persistently breaching international law and defying international rules and regulations gravely jeopardizes the safety of international civil aviation and the stability of the region.

Moreover, Turkey's systematic attempts to undermine the sovereignty and unity of the Republic of Cyprus, by promoting an illegal secessionist entity, arrogating to itself, inter alia, the right to control part of our airspace, further complicates the efforts to build trust and confidence between the two sides and resume negotiations. Such actions are yet further evidence of Turkey's sole objective, namely to consolidate the existing division of the island and sustain its military presence in Cyprus in perpetuity.

I should be grateful if you would arrange for the text of the present letter to be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**

United Nations A/62/591–S/2007/746

General Assembly
Security Council

Distr.: General
18 December 2007

Original: English

General Assembly
Sixty-second session
Agenda items 106, 107 and 108

Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

Security Council
Sixty-second year

Letter dated 14 December 2007 from the Permanent Representative of Botswana to the United Nations addressed to the Secretary-General

I have the honour to present my compliments to you and to transmit herewith the outcome document of the subregional workshop on the preparation of responses to the Security Council Committees dealing with counter-terrorism, held in Gaborone on 29 and 30 November 2007 (see annex). The workshop, which was hosted by the Government of Botswana, was organized by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime and the Southern African Community (SADC), in cooperation with the expert groups of the Committees.

I would be grateful if the present letter and its annex were to be circulated as a document of the sixty-second session of the General Assembly, under agenda items 106, 107 and 108, and of the Security Council.

(*Signed*) Samuel **Outlule**
Ambassador and Permanent Representative

07-65103 (E) 211207

Annex to the letter dated 14 December 2007 from the Permanent Representative of Botswana to the United Nations addressed to the Secretary-General

[Original: English and French]

Subregional workshop on the preparation of responses to the Security Council Committees dealing with counter-terrorism, Gaborone, Botswana, 29 and 30 November 2007

Outcome document

We, the delegations of Angola, Botswana, the Comoros, the Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe;

Gathered together to share and discuss our efforts, and share our experiences and challenges in dealing with terrorism at the Sub-Regional Workshop held in Gaborone, Botswana, on 29 and 30 November 2007, on the preparation of responses to the Security Council Committees dealing with counter-terrorism ("the Committees");

And in the presence of the United Nations, represented by the United Nations Office on Drugs and Crime (UNODC), the Counter-Terrorism Committee Executive Directorate (CTED),the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities (the Monitoring Team) and the Expert Group of the Security Council Committee established pursuant to resolution 1540 (2004) concerning the proliferation of weapons of mass destruction and non-State actors (the 1540 Expert Group), as well as the Southern African Development Community (SADC) and the following observers: the Commonwealth Secretariat, the Institute for Security Studies, INTERPOL, and the Eastern and Southern Africa Anti-Money Laundering Group;

Noting with appreciation the hospitality of the Government of Botswana for having hosted this Workshop and the efforts of UNODC, in particular, its Terrorism Prevention Branch (TPB) and the UNODC Regional Office for Southern Africa (Pretoria, South Africa) and SADC, for the collective action undertaken in the organization of this Workshop;

Expressing our appreciation of the efforts undertaken by CTED, the Monitoring Team and the 1540 Expert Group in implementing a common strategy to assist us to submit our responses to each of the Committees as a step towards the effective implementation of the relevant Security Council resolutions relating to terrorism and the relevant provisions of the United Nations Global Counter-Terrorism Strategy;

Reiterating the strong condemnation of terrorism in all its forms and manifestations committed by whomever, wherever and for whatever purposes, as it constitutes one of the most

serious threats to international peace and security, in accordance with the purposes and principles enshrined in the Charter of the United Nations;

Recalling that at the 2005 World Summit Outcome world leaders rededicated themselves to support all efforts to uphold the sovereign equality of all States, respect their territorial integrity and political independence, to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, to uphold the resolution of disputes by peaceful means and in conformity with the principles of justice and international law, the right to self-determination of peoples which remain under colonial domination or foreign occupation, non-interference in the internal affairs of States, respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or humanitarian character and the fulfillment in good faith of the obligations assumed in accordance with the Charter,

Reaffirming that our international cooperation and any measures we undertake to prevent and combat terrorism must comply with all our obligations under international law, and adopt such measures in accordance with international law, in particular human rights law, refugee law and international humanitarian law;

Recalling the recommendation made by the participating countries at the UNODC/SADC Training Workshop on International Cooperation in the Fight against Terrorism and its Financing, held in Windhoek, Namibia, from 5 to 7 December 2006 that UNODC, in close cooperation with CTC/CTED and the other relevant Security Council Committees, provide assistance to requesting SADC Member States to prepare and submit their reports to the various Committees through a sub-regional conference for SADC Member States;

Welcoming the adoption by the General Assembly on 8 September 2006 of the United Nations Global Counter-Terrorism Strategy and its plan of action (A/RES/60/288);

1. As a step in the global fight against terrorism, agree to continue the dialogue between our respective States and the Committees, including through cooperation with CTED, the Monitoring Team and the 1540 Expert Group who support these Committees;

2. Call on the United Nations Security Council to reduce the reporting requirements for Member States, and to take into account the different capacities of United Nations Member States;

3. Reiterate our commitment to:

a) Submit any outstanding responses to each of the Committees as soon as possible, as a step towards the implementation of the relevant Security Council resolutions relating to terrorism;

b) Become parties to the relevant universal instruments relating to terrorism, without delay, in accordance with the relevant Security Council and General Assembly resolutions;

c) Enact, where appropriate, the necessary domestic legislation for the full incorporation of the provisions of the universal instruments relating to terrorism, and the relevant Security Council and General Assembly resolutions;

4. Request UNODC to continue to provide interested States with the relevant technical assistance required to:

a) Prepare our responses in cooperation with the Committees and their expert groups;

b) Ratify/accede to and implement the relevant universal instruments relating to terrorism, and to strengthen international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building, in cooperation with its relevant partners, in accordance with the resolution 61/40 of 4 December 2006 of the General Assembly;

5. Invite the Government of Botswana to bring this outcome document to the attention of the Security Council and the General Assembly at its sixty-second session.

Adopted in Gaborone on 30 November 2007

United Nations A/62/592–S/2007/747

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Security Council

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Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 18 December 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations from 8 to 14 December 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

07-65187 (E) 211207 211207

Annex to the identical letters dated 18 December 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and other activities from 8 to 14 December 2007, inclusive

Air violations

On 9 December 2007, between 0530 hours and 0600 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre and circled over the Shuf, Damur and South regions. It departed over al-Naqurah.

Between 1330 hours and 1710 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Sidon in an easterly direction and circled over regions of the South. It departed over `Alma al-Sha`b.

Between 1655 hours and 2310 hours, an Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in an easterly direction and circled over regions of the South. It departed over Rumaysh.

On 10 December 2007, between 1240 hours and 1515 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in the direction of Beirut and circled over Beirut and its suburbs. It departed over the sea off al-Naqurah.

Between 1710 hours and 2100 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over al-Naqurah in the direction of Beirut and circled over the Beirut, Damur and South regions. It departed over al-Naqurah.

Between 1719 hours and 2015 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Rumaysh in a northerly direction as far as Nabatiyah and circled over regions of the South. It departed over `Alma al-Sha`b.

On 11 December 2007, between 1429 hours and 2200 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Rumaysh and circled over the Shuf and South regions. It departed over al-Naqurah.

Between 1819 hours and 2200 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over `Alma al-Sha`b and circled over the southern regions. It departed over al-Naqurah.

At 2135 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah and circled over the southern regions. It departed on 12 December 2007 at 0445 hours over the sea off al-Naqurah.

On 12 December 2007, between 0645 hours and 1115 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in a northerly direction and circled over the sea between Na`imah and Damur, and then over Beirut and its suburbs. It then headed south and departed over al-Naqurah.

Between 1050 hours and 1512 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in a northerly direction as far as

Beirut and circled over Beirut and its suburbs, and then the South. It departed over Rumaysh.

Between 1445 hours and 1715 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in a northerly direction and circled over the South. It departed over Yarun.

Between 1700 hours and 2055 hours, an Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in an easterly direction and circled over regions of the South. It departed over al-Naqurah.

Between 1705 hours and 2140 hours, an Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in a northerly direction and circled over regions of the South. It departed over Rumaysh.

At 2040 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah and circled over the southern regions. It departed on 13 December 2007 at 0130 hours over the sea off Rumaysh.

At 2130 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre and circled over the southern regions. It departed on 13 December 2007 at 0435 hours over al-Naqurah.

On 13 December 2007, between 0120 hours and 0435 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah and circled over the southern regions. It departed over `Alma al-Sha`b.

Between 1315 hours and 1330 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the towns of Mashgharah and `Aytanit at high altitude.

Sea violations

On 13 December 2007, at 1340 hours the Israeli enemy threw hand grenades in the sea at a diver it claimed to have spotted 250 metres north of the string of buoys off the coast.

Acts of aggression in the field

On 10 December 2007, at 0844 hours, inside occupied Palestinian territory opposite the town of Kafr Kila, an enemy Israeli bulldozer and Poclain excavator, escorted by military vehicles, proceeded to perform road maintenance to protect against rainfall runoff. They opened two breaches under the barbed wire strip in the area of the crossing between the towns of Kafr Kila and `Adaysah, and then pumped water from occupied Palestinian territory into Lebanese territory. An army patrol used a civilian bulldozer to raise a 10 metre long and 1.25 metre high earthen berm inside Lebanese territory in front of the aforementioned breaches.

On 12 December 2007, at 1230 hours, approximately 150 Israeli cows from the occupied Shab`a farmlands crossed approximately 100 metres over the line of withdrawal. They departed at 1345 hours.